

24.19

ARTICLE 2

24.20

GENERAL CRIMES AND PUBLIC SAFETY POLICY

24.21 Section 1. Minnesota Statutes 2020, section 13.6905, is amended by adding a subdivision
24.22 to read:

24.23 Subd. 36. **Direct wine shipments.** Data obtained and shared by the commissioner of
24.24 public safety relating to direct shipments of wine are governed by sections 340A.550 and
24.25 340A.555.

24.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.

25.1 Sec. 2. Minnesota Statutes 2020, section 13.825, subdivision 2, is amended to read:

25.2 Subd. 2. **Data classification; court-authorized disclosure.** (a) Data collected by a
25.3 portable recording system are private data on individuals or nonpublic data, subject to the
25.4 following:

25.5 (1) data that document the discharge of a firearm by a peace officer in the course of duty,
25.6 if a notice is required under section 626.553, subdivision 2, or the use of force by a peace
25.7 officer that results in substantial bodily harm, as defined in section 609.02, subdivision 7a,
25.8 are public;

25.9 (2) data are public if a subject of the data requests it be made accessible to the public,
25.10 except that, if practicable, (i) data on a subject who is not a peace officer and who does not
25.11 consent to the release must be redacted, and (ii) data on a peace officer whose identity is
25.12 protected under section 13.82, subdivision 17, clause (a), must be redacted;

25.13 (3) portable recording system data that are active criminal investigative data are governed
25.14 by section 13.82, subdivision 7, and portable recording system data that are inactive criminal
25.15 investigative data are governed by this section;

25.16 (4) portable recording system data that are public personnel data under section 13.43,
25.17 subdivision 2, clause (5), are public; and

25.18 (5) data that are not public data under other provisions of this chapter retain that
25.19 classification.

25.20 (b) Notwithstanding section 13.82, subdivision 7, a deceased individual's next of kin,
25.21 legal representative of the next of kin, or other parent of the deceased individual's children
25.22 is entitled to view any and all recordings from a peace officer's portable recording system,
25.23 redacted no more than what is required by law, of an officer's use of deadly force no later
25.24 than five business days following an incident where deadly force used by a peace officer
25.25 results in the death of an individual, except that a chief law enforcement officer may deny
25.26 a request if the investigating agency requests and can articulate a compelling reason as to
25.27 why allowing the deceased individual's next of kin, legal representative of next of kin, or
25.28 other parent of the deceased individual's children to review the recordings would interfere

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CRIMINAL LAW AND SENTENCING CHANGES

25.29 with a thorough investigation. If the chief law enforcement officer denies a request under
25.30 this paragraph, the involved officer's agency must issue a prompt, written denial and provide
25.31 notice to the deceased individual's next of kin, legal representative of the next of kin, or
25.32 other parent of the deceased individual's children that relief may be sought from the district
25.33 court.

26.1 (c) Notwithstanding section 13.82, subdivision 7, an involved officer's agency shall
26.2 release to the public no later than 14 business days after an incident all body-worn camera
26.3 recordings of the incident where a peace officer used deadly force and an individual died,
26.4 except that a chief law enforcement officer shall not release the video if the investigating
26.5 agency asserts in writing that allowing the public to view the recordings would interfere
26.6 with the ongoing investigation.

26.7 ~~(b)~~ (d) A law enforcement agency may redact or withhold access to portions of data that
26.8 are public under this subdivision if those portions of data are clearly offensive to common
26.9 sensibilities.

26.10 ~~(e)~~ (e) Section 13.04, subdivision 2, does not apply to collection of data classified by
26.11 this subdivision.

26.12 ~~(f)~~ (f) Any person may bring an action in the district court located in the county where
26.13 portable recording system data are being maintained to authorize disclosure of data that are
26.14 private or nonpublic under this section or to challenge a determination under paragraph (b)
26.15 to redact or withhold access to portions of data because the data are clearly offensive to
26.16 common sensibilities. The person bringing the action must give notice of the action to the
26.17 law enforcement agency and subjects of the data, if known. The law enforcement agency
26.18 must give notice to other subjects of the data, if known, who did not receive the notice from
26.19 the person bringing the action. The court may order that all or part of the data be released
26.20 to the public or to the person bringing the action. In making this determination, the court
26.21 shall consider whether the benefit to the person bringing the action or to the public outweighs
26.22 any harm to the public, to the law enforcement agency, or to a subject of the data and, if
26.23 the action is challenging a determination under paragraph (b), whether the data are clearly
26.24 offensive to common sensibilities. The data in dispute must be examined by the court in
26.25 camera. This paragraph does not affect the right of a defendant in a criminal proceeding to
26.26 obtain access to portable recording system data under the Rules of Criminal Procedure.

30.29 Section 1. Minnesota Statutes 2020, section 13A.02, subdivision 1, is amended to read:

30.30 Subdivision 1. **Access by government.** Except as authorized by this chapter, no
30.31 government authority may have access to, or obtain copies of, or the information contained
30.32 in, the financial records of any customer from a financial institution unless the financial
30.33 records are reasonably described and:

31.1 (1) the customer has authorized the disclosure;

- 31.2 (2) the financial records are disclosed in response to a search warrant;
- 31.3 (3) the financial records are disclosed in response to a judicial or administrative subpoena;
- 31.4 (4) the financial records are disclosed to law enforcement, a lead investigative agency
31.5 as defined in section 626.5572, subdivision 13, or prosecuting authority that is investigating
31.6 financial exploitation of a vulnerable adult in response to a judicial subpoena or
31.7 administrative subpoena under section 388.23; or
- 31.8 (5) the financial records are disclosed pursuant to section 609.527 or 609.535 or other
31.9 statute or rule.
- 31.10 **EFFECTIVE DATE.** This section is effective August 1, 2022.
- 31.11 Sec. 2. Minnesota Statutes 2020, section 13A.02, subdivision 2, is amended to read:
- 31.12 Subd. 2. **Release prohibited.** No financial institution, or officer, employee, or agent of
31.13 a financial institution, may provide to any government authority access to, or copies of, or
31.14 the information contained in, the financial records of any customer except in accordance
31.15 with the provisions of this chapter.
- 31.16 Nothing in this chapter shall require a financial institution to inquire or determine that
31.17 those seeking disclosure have duly complied with the requirements of this chapter, provided
31.18 only that the customer authorization, search warrant, subpoena, or written certification
31.19 pursuant to section 609.527, subdivision 8; 609.535, subdivision 6; 626.557; or other statute
31.20 or rule, served on or delivered to a financial institution shows compliance on its face.
- 31.21 **EFFECTIVE DATE.** This section is effective August 1, 2022.
- 31.22 Sec. 3. Minnesota Statutes 2020, section 169A.44, is amended to read:
- 31.23 **169A.44 CONDITIONAL RELEASE.**
- 31.24 Subdivision 1. **Nonfelony violations.** (a) This subdivision applies to a person charged
31.25 with a nonfelony violation of section 169A.20 (driving while impaired) under circumstances
31.26 described in section 169A.40, subdivision 3 (certain DWI offenders; custodial arrest).
- 31.27 (b) Except as provided in subdivision 3, unless maximum bail is imposed under section
31.28 629.471, a person described in paragraph (a) may be released from detention only if the
31.29 person agrees to:
- 31.30 (1) abstain from alcohol; and
- 32.1 (2) submit to a program of electronic alcohol monitoring, involving at least daily
32.2 measurements of the person's alcohol concentration, pending resolution of the charge.
- 32.3 Clause (2) applies only when electronic alcohol-monitoring equipment is available to
32.4 the court. The court shall require partial or total reimbursement from the person for the cost
32.5 of the electronic alcohol-monitoring, to the extent the person is able to pay.

32.6 Subd. 2. **Felony violations.** (a) Except as provided in subdivision 3, a person charged
32.7 with violating section 169A.20 within ten years of the first of three or more qualified prior
32.8 impaired driving incidents may be released from detention only if the following conditions
32.9 are imposed:

32.10 (1) the conditions described in subdivision 1, paragraph (b), if applicable;

32.11 (2) the impoundment of the registration plates of the vehicle used to commit the violation,
32.12 unless already impounded;

32.13 (3) if the vehicle used to commit the violation was an off-road recreational vehicle or a
32.14 motorboat, the impoundment of the off-road recreational vehicle or motorboat;

32.15 (4) a requirement that the person report weekly to a probation agent;

32.16 (5) a requirement that the person abstain from consumption of alcohol and controlled
32.17 substances and submit to random alcohol tests or urine analyses at least weekly;

32.18 (6) a requirement that, if convicted, the person reimburse the court or county for the
32.19 total cost of these services; and

32.20 (7) any other conditions of release ordered by the court.

32.21 (b) In addition to setting forth conditions of release under paragraph (a), if required by
32.22 court rule, the court shall also fix the amount of money bail without other conditions upon
32.23 which the defendant may obtain release.

32.24 Subd. 3. **Exception; ignition interlock program.** A court is not required, either when
32.25 initially reviewing a person's release or when modifying the terms of the person's release,
32.26 to order a person charged with violating section 169A.24 (first-degree driving while
32.27 impaired), 169A.25 (second-degree driving while impaired), or 169A.26 (third-degree
32.28 driving while impaired) to submit to a program of electronic alcohol monitoring under
32.29 subdivision 1 or 2 if the person becomes a program participant in the ignition interlock
32.30 program under section 171.306. A judicial officer, county agency, or probation office may
32.31 not require or suggest that the person use a particular ignition interlock vendor when
33.1 complying with this subdivision but may provide the person with a list of all Minnesota
33.2 vendors of certified devices.

33.3 Sec. 4. Minnesota Statutes 2020, section 171.174, is amended to read:

33.4 **171.174 REVOCATION; FLEEING PEACE OFFICER OFFENSE.**

33.5 The commissioner of public safety shall revoke the license of a person upon receipt of
33.6 a certificate of conviction showing that the person has in a motor vehicle violated section
33.7 609.487, subdivision 3, 3a, or 4, or an ordinance in conformity with those subdivisions. The
33.8 commissioner shall revoke the license as follows:

33.9 (1) for the first offense under section 609.487, subdivision 3, for not less than one year;

26.27 Sec. 3. Minnesota Statutes 2020, section 241.01, subdivision 3a, is amended to read:
26.28 Subd. 3a. **Commissioner, powers and duties.** The commissioner of corrections has the
26.29 following powers and duties:
26.30 (a) To accept persons committed to the commissioner by the courts of this state for care,
26.31 custody, and rehabilitation.
26.32 (b) To determine the place of confinement of committed persons in a correctional facility
26.33 or other facility of the Department of Corrections and to prescribe reasonable conditions
27.1 and rules for their employment, conduct, instruction, and discipline within or outside the
27.2 facility. Inmates shall not exercise custodial functions or have authority over other inmates.
27.3 (c) To administer the money and property of the department.
27.4 (d) To administer, maintain, and inspect all state correctional facilities.
27.5 (e) To transfer authorized positions and personnel between state correctional facilities
27.6 as necessary to properly staff facilities and programs.

33.10 (2) for the second offense or subsequent offenses under section 609.487, subdivision 3,
33.11 for not less than three years;
33.12 (3) for an offense under section 609.487, subdivision 3a, for not less than four years;
33.13 (4) for an offense under section 609.487, subdivision 4, clause (a), for not less than ten
33.14 years;
33.15 ~~(4)~~ (5) for an offense under section 609.487, subdivision 4, clause (b), for not less than
33.16 seven years; and
33.17 ~~(5)~~ (6) for an offense under section 609.487, subdivision 4, clause (c), for not less than
33.18 five years.
33.19 A limited license under section 171.30 may not be issued for one-half of the revocation
33.20 period specified in clauses (1) to ~~(5)~~ (6) and after that period is over only upon and as
33.21 recommended by the adjudicating court.
33.22 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
33.23 committed on or after that date.
33.24 Sec. 5. Minnesota Statutes 2020, section 171.306, is amended by adding a subdivision to
33.25 read:
33.26 Subd. 9. **Choice of vendor.** A judicial officer, county agency, or probation office may
33.27 not require or suggest that a person participating in the ignition interlock device program
33.28 under this section use a particular ignition interlock vendor but may provide the person with
33.29 a list of all Minnesota vendors of certified devices.

27.7 (f) To utilize state correctional facilities in the manner deemed to be most efficient and
27.8 beneficial to accomplish the purposes of this section, but not to close the Minnesota
27.9 Correctional Facility-Stillwater or the Minnesota Correctional Facility-St. Cloud without
27.10 legislative approval. The commissioner may place juveniles and adults at the same state
27.11 minimum security correctional facilities, if there is total separation of and no regular contact
27.12 between juveniles and adults, except contact incidental to admission, classification, and
27.13 mental and physical health care.

27.14 (g) To organize the department and employ personnel the commissioner deems necessary
27.15 to discharge the functions of the department, including a chief executive officer for each
27.16 facility under the commissioner's control who shall serve in the unclassified civil service
27.17 and may, under the provisions of section 43A.33, be removed only for cause.

27.18 (h) To define the duties of these employees and to delegate to them any of the
27.19 commissioner's powers, duties and responsibilities, subject to the commissioner's control
27.20 and the conditions the commissioner prescribes.

27.21 (i) To annually develop a comprehensive set of goals and objectives designed to clearly
27.22 establish the priorities of the Department of Corrections. This report shall be submitted to
27.23 the governor commencing January 1, 1976. The commissioner may establish ad hoc advisory
27.24 committees.

27.25 (j) To perform these duties with the goal of promoting public safety. Promoting public
27.26 safety includes the promotion of human rights. "Public safety" means reducing or preventing
27.27 crime while maintaining the basic rights, freedoms, and privileges that belong to every
27.28 person, including the right to dignity, fairness, equality, respect, and freedom from
27.29 discrimination, and is achieved by diverting people away from the criminal justice system
27.30 whenever possible, imposing sanctions that are the least restrictive necessary to achieve
27.31 accountability for the offense, preferring the use of community services to imprisonment
27.32 or other confinement unless confinement is necessary to protect the public, and promoting
28.1 the rehabilitation of those convicted through the provision of evidence-based programming
28.2 and services.

34.1 Sec. 6. Minnesota Statutes 2020, section 244.01, subdivision 8, is amended to read:

34.2 Subd. 8. **Term of imprisonment.** "Term of imprisonment," as applied to inmates whose
34.3 crimes were committed before August 1, 1993, is the period of time for which an inmate is
34.4 committed to the custody of the commissioner of corrections minus earned good time. "Term
34.5 of imprisonment," as applied to inmates whose crimes were committed on or after August
34.6 1, 1993, is the period of time equal to ~~two-thirds~~ three-fourths of the inmate's executed
34.7 sentence.

34.8 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
34.9 committed on or after that date.

34.10 Sec. 7. Minnesota Statutes 2020, section 244.05, subdivision 4, is amended to read:

34.11 Subd. 4. **Minimum imprisonment, life sentence.** (a) An inmate serving a mandatory
34.12 life sentence under section 609.106 or 609.3455, subdivision 2, must not be given supervised
34.13 release under this section.

34.14 (b) An inmate serving a mandatory life sentence under section 609.185, paragraph (a),
34.15 clause (3), (5), or (6); or 609.2661, clause (3); or Minnesota Statutes 2004, section 609.109,
34.16 subdivision 3, must not be given supervised release under this section without having served
34.17 a minimum term of 30 years.

34.18 (c) An inmate serving a mandatory life sentence under section 609.385 must not be given
34.19 supervised release under this section without having served a minimum term of imprisonment
34.20 of 17 years.

34.21 (d) An inmate serving a mandatory life sentence under section 609.3455, subdivision 3
34.22 or 4, must not be given supervised release under this section without having served the
34.23 minimum term of imprisonment specified by the court in its sentence.

34.24 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
34.25 committed on or after that date.

34.26 Sec. 8. Minnesota Statutes 2020, section 244.05, subdivision 5, is amended to read:

34.27 Subd. 5. **Supervised release, life sentence.** (a) The commissioner of corrections may,
34.28 under rules promulgated by the commissioner, give supervised release to an inmate serving
34.29 a mandatory life sentence under section 609.185, paragraph (a), clause (3), (5), or (6);
34.30 609.2661, clause (3); 609.3455, subdivision 3 or 4; or 609.385; or Minnesota Statutes 2004,
34.31 section 609.109, subdivision 3, after the inmate has served the minimum term of
34.32 imprisonment specified in subdivision 4.

35.1 (b) The commissioner shall require the preparation of a community investigation report
35.2 and shall consider the findings of the report when making a supervised release decision
35.3 under this subdivision. The report shall reflect the sentiment of the various elements of the
35.4 community toward the inmate, both at the time of the offense and at the present time. The
35.5 report shall include the views of the sentencing judge, the prosecutor, any law enforcement
35.6 personnel who may have been involved in the case, and any successors to these individuals
35.7 who may have information relevant to the supervised release decision. The report shall also
35.8 include the views of the victim and the victim's family unless the victim or the victim's
35.9 family chooses not to participate.

35.10 (c) The commissioner shall make reasonable efforts to notify the victim, in advance, of
35.11 the time and place of the inmate's supervised release review hearing. The victim has a right
35.12 to submit an oral or written statement at the review hearing. The statement may summarize
35.13 the harm suffered by the victim as a result of the crime and give the victim's recommendation
35.14 on whether the inmate should be given supervised release at this time. The commissioner
35.15 must consider the victim's statement when making the supervised release decision.

35.16 (d) When considering whether to give supervised release to an inmate serving a life
35.17 sentence under section 609.3455, subdivision 3 or 4, the commissioner shall consider, at a
35.18 minimum, the following: the risk the inmate poses to the community if released, the inmate's
35.19 progress in treatment, the inmate's behavior while incarcerated, psychological or other
35.20 diagnostic evaluations of the inmate, the inmate's criminal history, and any other relevant
35.21 conduct of the inmate while incarcerated or before incarceration. The commissioner may
35.22 not give supervised release to the inmate unless:

35.23 (1) while in prison:

35.24 (i) the inmate has successfully completed appropriate sex offender treatment;

35.25 (ii) the inmate has been assessed for chemical dependency needs and, if appropriate, has
35.26 successfully completed chemical dependency treatment; and

35.27 (iii) the inmate has been assessed for mental health needs and, if appropriate, has
35.28 successfully completed mental health treatment; and

35.29 (2) a comprehensive individual release plan is in place for the inmate that ensures that,
35.30 after release, the inmate will have suitable housing and receive appropriate aftercare and
35.31 community-based treatment. The comprehensive plan also must include a postprison
35.32 employment or education plan for the inmate.

36.1 (e) As used in this subdivision, "victim" means the individual who suffered harm as a
36.2 result of the inmate's crime or, if the individual is deceased, the deceased's surviving spouse
36.3 or next of kin.

36.4 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
36.5 committed on or after that date.

36.6 Sec. 9. Minnesota Statutes 2020, section 244.09, subdivision 2, is amended to read:

36.7 Subd. 2. **Members.** The Sentencing Guidelines Commission shall consist of the
36.8 following:

36.9 (1) the chief justice of the supreme court or a designee;

36.10 (2) one judge of the court of appeals, appointed by the chief justice of the supreme court;

36.11 (3) one district court judge appointed by the chief justice of the supreme court;

36.12 (4) one public defender appointed by the governor upon recommendation of the state
36.13 public defender;

36.14 (5) one county attorney appointed by the governor upon recommendation of the board
36.15 of directors of the Minnesota County Attorneys Association;

36.16 (6) the commissioner of corrections or a designee;

36.17 (7) one peace officer as defined in section 626.84 appointed by the governor;

28.3 Sec. 4. Minnesota Statutes 2020, section 244.09, subdivision 5, is amended to read:

28.4 Subd. 5. **Promulgation of Sentencing Guidelines.** The commission shall promulgate
28.5 Sentencing Guidelines for the district court. The guidelines shall be based on reasonable
28.6 offense and offender characteristics. The guidelines promulgated by the commission shall
28.7 be advisory to the district court and shall establish:

28.8 (1) the circumstances under which imprisonment of an offender is proper; and

28.9 (2) a presumptive, fixed sentence for offenders for whom imprisonment is proper, based
28.10 on each appropriate combination of reasonable offense and offender characteristics. The
28.11 guidelines shall provide for an increase of 20 percent and a decrease of 15 percent in the
28.12 presumptive, fixed sentence.

28.13 The Sentencing Guidelines promulgated by the commission may also establish appropriate
28.14 sanctions for offenders for whom imprisonment is not proper. Any guidelines promulgated
28.15 by the commission establishing sanctions for offenders for whom imprisonment is not proper
28.16 shall make specific reference to noninstitutional sanctions, including but not limited to the
28.17 following: payment of fines, day fines, restitution, community work orders, work release
28.18 programs in local facilities, community based residential and nonresidential programs,
28.19 incarceration in a local correctional facility, and probation and the conditions thereof.

28.20 Although the Sentencing Guidelines are advisory to the district court, the court shall
28.21 follow the procedures of the guidelines when it pronounces sentence in a proceeding to
28.22 which the guidelines apply by operation of statute. Sentencing pursuant to the Sentencing
28.23 Guidelines is not a right that accrues to a person convicted of a felony; it is a procedure
28.24 based on state public policy to maintain uniformity, proportionality, rationality, and
28.25 predictability in sentencing.

28.26 In establishing and modifying the Sentencing Guidelines, the primary consideration of
28.27 the commission shall be public safety. "Public safety" means reducing or preventing crime
28.28 while maintaining the basic rights, freedoms, and privileges that belong to every person,
28.29 including the right to dignity, fairness, equality, respect, and freedom from discrimination,
28.30 and is achieved by diverting people away from the criminal justice system whenever possible,

36.18 (8) one probation officer or parole officer appointed by the governor; and

36.19 (9) three public members appointed by the governor, one of whom shall be a victim of
36.20 a crime defined as a felony.

36.21 When an appointing authority selects individuals for membership on the commission,
36.22 the authority shall make reasonable efforts to appoint qualified members of protected groups,
36.23 as defined in section 43A.02, subdivision 33.

36.24 One of the members shall be designated by the governor as chair of the commission.

36.25 The appointments of members described in clauses (4), (5), (7), (8), and (9) are to be
36.26 made with the advice and consent of the senate. Section 15.066 applies to these appointments.

28.31 imposing sanctions that are the least restrictive necessary to achieve accountability for the
28.32 offense, preferring the use of community services to imprisonment or other confinement
28.33 unless confinement is necessary to protect the public, and promoting the rehabilitation of
29.1 those convicted through the provision of evidence-based programming and services.
29.2 Promoting public safety includes the promotion of human rights. The commission shall also
29.3 consider current sentencing and release practices; correctional resources, including but not
29.4 limited to the capacities of local and state correctional facilities; and the long-term negative
29.5 impact of the crime on the community.

29.6 The provisions of sections 14.001 to 14.69 do not apply to the promulgation of the
29.7 Sentencing Guidelines, and the Sentencing Guidelines, including severity levels and criminal
29.8 history scores, are not subject to review by the legislative commission to review
29.9 administrative rules. However, the commission shall adopt rules pursuant to sections 14.001
29.10 to 14.69 which establish procedures for the promulgation of the Sentencing Guidelines,
29.11 including procedures for the promulgation of severity levels and criminal history scores,
29.12 and these rules shall be subject to review by the Legislative Coordinating Commission.

36.27 Sec. 10. Minnesota Statutes 2020, section 244.101, subdivision 1, is amended to read:

36.28 Subdivision 1. **Executed sentences.** When a felony offender is sentenced to a fixed
36.29 executed sentence for an offense committed on or after August 1, 1993, the executed sentence
37.1 consists of two parts: (1) a specified minimum term of imprisonment that is equal to
37.2 ~~two-thirds~~ three-fourths of the executed sentence; and (2) a specified maximum supervised
37.3 release term that is equal to ~~one-third~~ one-quarter of the executed sentence. The amount of
37.4 time the inmate actually serves in prison and on supervised release is subject to the provisions
37.5 of section 244.05, subdivision 1b.

37.6 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
37.7 committed on or after that date.

37.8 Sec. 11. Minnesota Statutes 2020, section 244.14, subdivision 3, is amended to read:

37.9 Subd. 3. **Sanctions.** The commissioner shall impose severe and meaningful sanctions
37.10 for violating the conditions of an intensive community supervision program. The
37.11 commissioner shall provide for revocation of intensive community supervision of an offender
37.12 who:

37.13 (1) commits a material violation of or repeatedly fails to follow the rules of the program;

37.14 (2) commits any misdemeanor, gross misdemeanor, or felony offense; or

37.15 (3) presents a risk to the public, based on the offender's behavior, attitude, or abuse of
37.16 alcohol or controlled substances. The revocation of intensive community supervision is
37.17 governed by the procedures in the commissioner's rules adopted under section 244.05,
37.18 subdivision 2.

29.13 Sec. 5. Minnesota Statutes 2021 Supplement, section 253B.18, subdivision 5a, is amended
29.14 to read:

29.15 Subd. 5a. **Victim notification of petition and release; right to submit statement.** (a)
29.16 As used in this subdivision:

29.17 (1) "crime" has the meaning given to "violent crime" in section 609.1095, and includes
29.18 criminal sexual conduct in the fifth degree and offenses within the definition of "crime
29.19 against the person" in section 253B.02, subdivision 4e, and also includes offenses listed in
29.20 section 253D.02, subdivision 8, paragraph (b), regardless of whether they are sexually
29.21 motivated;

29.22 (2) "victim" means a person who has incurred loss or harm as a result of a crime the
29.23 behavior for which forms the basis for a commitment under this section or chapter 253D;
29.24 and

37.19 An offender whose intensive community supervision is revoked shall be imprisoned for
37.20 a time period equal to the offender's term of imprisonment, but in no case for longer than
37.21 the time remaining in the offender's sentence. "Term of imprisonment" means a time period
37.22 equal to ~~two-thirds~~ three-fourths of the sentence originally executed by the sentencing court,
37.23 minus jail credit, if any.

37.24 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
37.25 committed on or after that date.

37.26 Sec. 12. Minnesota Statutes 2020, section 244.171, subdivision 4, is amended to read:

37.27 Subd. 4. **Sanctions.** The commissioner shall impose severe and meaningful sanctions
37.28 for violating the conditions of the challenge incarceration program. The commissioner shall
37.29 remove an offender from the challenge incarceration program if the offender:

37.30 (1) commits a material violation of or repeatedly fails to follow the rules of the program;

37.31 (2) commits any misdemeanor, gross misdemeanor, or felony offense; or

38.1 (3) presents a risk to the public, based on the offender's behavior, attitude, or abuse of
38.2 alcohol or controlled substances. The removal of an offender from the challenge incarceration
38.3 program is governed by the procedures in the commissioner's rules adopted under section
38.4 244.05, subdivision 2.

38.5 An offender who is removed from the challenge incarceration program shall be
38.6 imprisoned for a time period equal to the offender's term of imprisonment, minus earned
38.7 good time if any, but in no case for longer than the time remaining in the offender's sentence.
38.8 "Term of imprisonment" means a time period equal to ~~two-thirds~~ three-fourths of the sentence
38.9 originally executed by the sentencing court, minus jail credit, if any.

38.10 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
38.11 committed on or after that date.

29.25 (3) "convicted" and "conviction" have the meanings given in section 609.02, subdivision
29.26 5, and also include juvenile court adjudications, findings under Minnesota Rules of Criminal
29.27 Procedure, rule 20.02, that the elements of a crime have been proved, and findings in
29.28 commitment cases under this section or chapter 253D that an act or acts constituting a crime
29.29 occurred or were part of their course of harmful sexual conduct.

29.30 (b) A county attorney who files a petition to commit a person under this section or chapter
29.31 253D shall make a reasonable effort to provide prompt notice of filing the petition to any
29.32 victim of a crime for which the person was convicted. In addition, the county attorney shall
29.33 make a reasonable effort to promptly notify the victim of the resolution of the petition and
30.1 the process for requesting notification of an individual's change in status as provided in
30.2 paragraph (c). A notice shall only be provided to a victim who has submitted a written
30.3 request for notification to the prosecutor.

30.4 (c) A victim may request notification of an individual's discharge or release as provided
30.5 in paragraph (d) by submitting a written request for notification to the executive director of
30.6 the facility in which the individual is confined. The Department of Corrections or a county
30.7 attorney who receives a request for notification from a victim under this section shall
30.8 promptly forward the request to the executive director of the treatment facility in which the
30.9 individual is confined.

30.10 (d) Before provisionally discharging, discharging, granting pass-eligible status, approving
30.11 a pass plan, or otherwise permanently or temporarily releasing a person committed under
30.12 this section from a state-operated treatment program or treatment facility, the head of the
30.13 state-operated treatment program or head of the treatment facility shall make a reasonable
30.14 effort to notify any victim of a crime for which the person was convicted that the person
30.15 may be discharged or released and that the victim has a right to submit a written statement
30.16 regarding decisions of the medical director, special review board, or commissioner with
30.17 respect to the person. To the extent possible, the notice must be provided at least 14 days
30.18 before any special review board hearing or before a determination on a pass plan.
30.19 Notwithstanding section 611A.06, subdivision 4, the commissioner shall provide the judicial
30.20 appeal panel with victim information in order to comply with the provisions of this section.
30.21 The judicial appeal panel shall ensure that the data on victims remains private as provided
30.22 for in section 611A.06, subdivision 4. These notices shall only be provided to victims who
30.23 have submitted a written request for notification as provided in paragraph (c).

30.24 (e) The rights under this subdivision are in addition to rights available to a victim under
30.25 chapter 611A. This provision does not give a victim all the rights of a "notified person" or
30.26 a person "entitled to statutory notice" under subdivision 4a, 4b, or 5 or section 253D.14.

30.27 Sec. 6. Minnesota Statutes 2021 Supplement, section 253D.14, subdivision 2, is amended
30.28 to read:

30.29 Subd. 2. **Notice of filing petition.** A county attorney who files a petition to commit a
30.30 person under this chapter shall make a reasonable effort to provide prompt notice of filing
30.31 the petition to any victim of a crime for which the person was convicted or was listed as a

30.32 victim in the petition of commitment. In addition, the county attorney shall make a reasonable
30.33 and good faith effort to promptly notify the victim of the resolution of the process for
30.34 requesting the notification of an individual's change in status as provided in section 253D.14,
31.1 subdivision 3. A notice shall only be provided to a victim who has submitted a written
31.2 request for notification to the prosecutor.

31.3 Sec. 7. Minnesota Statutes 2020, section 256I.04, subdivision 2g, is amended to read:

31.4 Subd. 2g. ~~Crisis shelters~~ **Domestic abuse programs.** ~~Secure crisis shelters for battered~~
31.5 ~~women and their children designated by the Minnesota Department of Corrections~~ Programs
31.6 that provide services to victims of domestic abuse designated by the Office of Justice
31.7 Programs in the Department of Public Safety are not eligible for housing support under this
31.8 chapter.

31.9 Sec. 8. Minnesota Statutes 2020, section 299A.01, is amended by adding a subdivision to
31.10 read:

31.11 Subd. 1d. **Mandated reports; annual audit.** (a) Beginning February 15, 2023, and each
31.12 year thereafter, the commissioner, as part of the department's mission and within the
31.13 department's resources, shall report to the chairs and ranking minority members of the
31.14 legislative committees having jurisdiction over public safety policy and finance a list of
31.15 reports that the commissioner is obligated to submit to the legislature. For each reporting
31.16 requirement listed, the commissioner must include a description of the applicable program,
31.17 information required to be included in the report, the frequency that the report must be
31.18 completed, and the statutory authority for the report.

31.19 (b) If the legislature does not repeal or otherwise modify by law a reporting requirement,
31.20 the commissioner must continue to provide each mandated report as required by law.

31.21 Sec. 9. Minnesota Statutes 2020, section 299A.01, subdivision 2, is amended to read:

31.22 Subd. 2. **Duties of commissioner.** (a) The duties of the commissioner shall include the
31.23 following:

31.24 (1) the coordination, development and maintenance of services contracts with existing
31.25 state departments and agencies assuring the efficient and economic use of advanced business
31.26 machinery including computers;

31.27 (2) the execution of contracts and agreements with existing state departments for the
31.28 maintenance and servicing of vehicles and communications equipment, and the use of related
31.29 buildings and grounds;

31.30 (3) the development of integrated fiscal services for all divisions, and the preparation
31.31 of an integrated budget for the department;

32.1 (4) the publication and award of grant contracts with state agencies, local units of
32.2 government, and other entities for programs that will benefit the safety of the public; and

32.3 (5) the establishment of a planning bureau within the department.

32.4 (b) The commissioner shall exercise the duties under paragraph (a) with the goal of
32.5 promoting public safety. Promoting public safety includes the promotion of human rights.
32.6 "Public safety" means reducing or preventing crime by diverting people away from the
32.7 criminal justice system whenever possible, effecting arrest or detention practices that are
32.8 the least restrictive necessary to protect the public, and promoting the rehabilitation of those
32.9 who engage in criminal activity by providing evidence-based programming and services,
32.10 while still maintaining the basic rights, freedoms, and privileges that belong to every person,
32.11 including the right to dignity, fairness, equality, respect, and freedom from discrimination.

32.12 **Sec. 10. [299A.381] PUBLIC SAFETY OFFICER SOFT BODY ARMOR**
32.13 **REIMBURSEMENT.**

32.14 Subdivision 1. **Definitions.** As used in this section:

32.15 (1) "commissioner" means the commissioner of public safety;

32.16 (2) "firefighter" means a volunteer, paid on-call, part-time, or career firefighter serving
32.17 a general population within the boundaries of the state;

32.18 (3) "public safety officer" means a firefighter or qualified emergency medical service
32.19 provider;

32.20 (4) "qualified emergency medical service provider" means a person certified under
32.21 section 144E.101 who is actively employed by a Minnesota licensed ambulance service;
32.22 and

32.23 (5) "vest" has the meaning given in section 299A.38, subdivision 1, paragraph (c).

32.24 Subd. 2. **State and local reimbursement.** Public safety officers and heads of agencies
32.25 and entities that buy vests for the use of public safety officer employees may apply to the
32.26 commissioner for reimbursement of funds spent to buy vests. On approving an application
32.27 for reimbursement, the commissioner shall pay the applicant an amount equal to the lesser
32.28 of one-half of the vest's purchase price or the reimbursement amount set by the commissioner
32.29 in section 299A.38, subdivision 2a. The political subdivision or entity that employs a public
32.30 safety officer shall pay at least the lesser of one-half of the vest's purchase price or the
32.31 reimbursement amount set by the commissioner in section 299A.38, subdivision 2a. The
33.1 employer may not deduct or pay its share of the vest's cost from any clothing, maintenance,
33.2 or similar allowance otherwise provided to the public safety officer by the employer.

33.3 Subd. 3. **Eligibility requirements.** The eligibility requirements in section 299A.38,
33.4 subdivision 3, apply to applications for reimbursement under this section.

33.5 Subd. 4. **Rules.** The commissioner shall amend the rules adopted pursuant to section
33.6 299A.38, subdivision 4, to administer this section, as needed.

33.7 Subd. 5. **Limitation of liability.** A state agency, political subdivision of the state, state
33.8 or local government employee, or other entity that provides reimbursement for purchase of
33.9 a vest under this section is not liable to a public safety officer or the public safety officer's
33.10 heirs for negligence in the death of or injury to the public safety officer because the vest
33.11 was defective or deficient.

33.12 Subd. 6. **Right to benefits unaffected.** A public safety officer who is reimbursed for
33.13 the purchase of a vest under this section and who suffers injury or death because the officer
33.14 failed to wear the vest, or because the officer wore a vest that was defective or deficient,
33.15 may not lose or be denied a benefit or right, including a benefit under section 299A.44, to
33.16 which the officer, or the officer's heirs, is otherwise entitled.

33.17 Sec. 11. Minnesota Statutes 2020, section 299A.49, subdivision 2, is amended to read:

33.18 Subd. 2. ~~Chemical assessment~~ **Hazardous materials response team.** "~~Chemical~~
33.19 ~~assessment~~ **Hazardous materials response team**" means a team (1) trained, equipped, and
33.20 authorized to evaluate and, when ~~possible~~ feasible, provide ~~simple~~ mitigation to a hazardous
33.21 materials incident or release and (2) required to recommend to the local incident manager
33.22 the best means of controlling the hazard after consideration of life safety concerns,
33.23 environmental effects, exposure hazards, quantity and type of hazardous material, availability
33.24 of resources, or other relevant factors.

33.25 Sec. 12. Minnesota Statutes 2020, section 299A.50, subdivision 1, is amended to read:

33.26 Subdivision 1. **Elements of plan; rules.** After consultation with the commissioners of
33.27 natural resources, agriculture, transportation, and the Pollution Control Agency, the ~~state~~
33.28 ~~fire marshal~~ Department of Public Safety, the Emergency Response Commission, appropriate
33.29 technical emergency response representatives, and representatives of affected parties, the
33.30 commissioner shall adopt rules to implement a statewide hazardous materials incident
33.31 response plan. The plan must include:

34.1 (1) the locations of ~~up to five regional~~ hazardous materials response teams, based on the
34.2 location of hazardous materials, response time, proximity to large population centers, and
34.3 other factors;

34.4 (2) the number and qualifications of members on each team;

34.5 (3) the responsibilities of ~~regional~~ hazardous materials response teams;

34.6 (4) equipment needed for ~~regional~~ hazardous materials response teams;

34.7 (5) procedures for selecting and contracting with local governments or nonpublic persons
34.8 to establish ~~regional~~ hazardous materials response teams;

34.9 (6) procedures for dispatching teams at the request of local governments;

34.10 (7) a fee schedule for reimbursing local governments or nonpublic persons responding
34.11 to an incident; and

34.12 (8) coordination with other state departments and agencies, local units of government,
34.13 other states, Indian tribes, the federal government, and other nonpublic persons.

34.14 Sec. 13. Minnesota Statutes 2020, section 299A.51, is amended to read:

34.15 **299A.51 LIABILITY AND WORKERS' COMPENSATION.**

34.16 Subdivision 1. **Liability.** During operations authorized under section 299A.50, members
34.17 of a ~~regional~~ hazardous materials team operating outside their geographic jurisdiction are
34.18 "employees of the state" as defined in section 3.736.

34.19 Subd. 2. **Workers' compensation.** During operations authorized under section 299A.50,
34.20 members of a ~~regional~~ hazardous materials team operating outside their geographic
34.21 jurisdiction are considered employees of the Department of Public Safety for purposes of
34.22 chapter 176.

34.23 Subd. 3. **Limitation.** A person who provides personnel and equipment to assist at the
34.24 scene of a hazardous materials response incident outside the person's geographic jurisdiction
34.25 or property, at the request of the state or a local unit of government, is not liable for any
34.26 civil damages resulting from acts or omissions in providing the assistance, unless the person
34.27 acts in a willful and wanton or reckless manner in providing the assistance.

35.1 Sec. 14. **299A.625 PUBLIC SAFETY INNOVATION BOARD.**

35.2 Subdivision 1. **Establishment.** The Public Safety Innovation Board is established in the
35.3 Office of Justice Programs within the Department of Public Safety. The board has the powers
35.4 and duties described in this section.

35.5 Subd. 2. **Membership.** (a) The Public Safety Innovation Board is composed of the
35.6 following members:

35.7 (1) three individuals with experience conducting research in the areas of crime, policing,
35.8 or sociology while employed by an academic or nonprofit entity, appointed by the governor;

35.9 (2) five individuals appointed by the governor of whom:

35.10 (i) one shall be a victim of a crime or an advocate for victims of crime;

35.11 (ii) one shall be a person impacted by the criminal justice system or an advocate for
35.12 defendants in criminal cases; and

35.13 (iii) one shall have a background in social work;

35.14 (3) four members representing the community-specific boards established under sections
35.15 3.922 and 15.0145, with one appointment made by each board; and

35.16 (4) three members representing law enforcement, with one appointment by the Minnesota
35.17 Sheriffs' Association, one by the Minnesota Chiefs of Police Association, and one by the
35.18 Minnesota Police and Peace Officers Association.

- 35.19 (b) The members of the board shall elect one member to serve as chair.
- 35.20 Subd. 3. **Terms; removal; vacancy.** (a) Members are appointed to serve three-year
35.21 terms following the initial staggered-term lot determination and may be reappointed.
- 35.22 (b) Initial appointment of members must take place by August 1, 2022. The initial term
35.23 of members appointed under paragraph (a) shall be determined by lot by the secretary of
35.24 state and shall be as follows:
- 35.25 (1) five members shall serve one-year terms;
- 35.26 (2) five members shall serve two-year terms; and
- 35.27 (3) five members shall serve three-year terms.
- 35.28 (c) A member may be removed by the appointing authority at any time for cause, after
35.29 notice and hearing.
- 36.1 (d) If a vacancy occurs, the appointing authority shall appoint a new qualifying member
36.2 within 90 days.
- 36.3 (e) Compensation of board members is governed by section 15.0575.
- 36.4 Subd. 4. **Powers and duties.** The board shall improve public safety by increasing the
36.5 efficiency, effectiveness, and capacity of public safety providers and has the following
36.6 powers and duties:
- 36.7 (1) monitoring trends in crime within Minnesota;
- 36.8 (2) reviewing research on criminal justice and public safety issues;
- 36.9 (3) providing information on criminal trends and research to the commissioner,
36.10 municipalities, and the legislature;
- 36.11 (4) communicating with recipients of grant funds to learn from successful and innovative
36.12 programs, develop procedures to simplify application and reporting requirements, and
36.13 identify gaps in programs or services that could be filled to improve public safety;
- 36.14 (5) working with the commissioner to modify requests for proposals to better meet the
36.15 needs of applicants and the community;
- 36.16 (6) working with the commissioner, community review panels, the final review panel,
36.17 and Office of Justice Programs staff to establish policies, procedures, and priorities to best
36.18 address public safety and community needs;
- 36.19 (7) working with grant recipients, applicants whose proposals were not approved, and
36.20 individuals or entities interested in applying for grants to increase the understanding of the
36.21 grant process and help improve applications that are submitted;
- 36.22 (8) analyzing the pool of applicants and public application materials to identify;

- 36.23 (i) barriers to successful applications;
- 36.24 (ii) eligible geographic, ethnic, or other communities that do not apply for grants;
- 36.25 (iii) the demographics of populations served by grant applicants, including identification
36.26 of populations that are not receiving services and any disparities in services provided; and
- 36.27 (iv) the types of programs that receive awards;
- 36.28 (9) developing policies and procedures to support communities that are underserved by
36.29 grant recipients, address imbalances in the pool of grant applicants or recipients, and expand
36.30 the types of services provided by grant recipients to include effective programs that are
36.31 underutilized;
- 37.1 (10) working with the Minnesota Statistical Analysis Center to identify appropriate
37.2 outcomes to track on an annual basis for both programs receiving grants and local
37.3 communities for the purpose of monitoring trends in public safety and the impact of specific
37.4 programmatic models; and
- 37.5 (11) making recommendations to the legislature for changes in policy and funding to
37.6 address existing and emerging needs related to public safety.
- 37.7 Subd. 5. **Meetings.** The board shall meet quarterly or at the call of the chair. At least
37.8 two meetings in each fiscal year must take place outside of the metropolitan area as defined
37.9 in section 473.121, subdivision 2. Meetings of the board are subject to chapter 13D.
- 37.10 Subd. 6. **Report.** By January 15 each year, the board shall report to the legislative
37.11 committees and divisions with jurisdiction over public safety on the work of the board; the
37.12 use and impact of grant programs to address public safety, including emergency community
37.13 safety grants and local co-responder grants; grants issued by the Department of Public Safety
37.14 to local law enforcement agencies for portable recording systems; the outcomes tracked on
37.15 an annual basis by the Minnesota Statistical Analysis Center; and recommendations for
37.16 changes in policy and funding to improve public safety.
- 37.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 37.18 Sec. 15. Minnesota Statutes 2020, section 299A.706, is amended to read:
- 37.19 **299A.706 ALCOHOL ENFORCEMENT ACCOUNT; APPROPRIATION.**
- 37.20 An alcohol enforcement account is created in the special revenue fund, consisting of
37.21 money credited to the account by law. Money in the account may be appropriated by law
37.22 for: (1) costs of the Alcohol and Gambling Division related to administration and enforcement
37.23 of sections 340A.403, subdivision 4; 340A.414, subdivision 1a; ~~and~~ 340A.504, subdivision
37.24 7; and 340A.550, subdivisions 2, 4, 5, and 6; and (2) costs of the State Patrol.
- 37.25 **EFFECTIVE DATE.** This section is effective July 1, 2022.

37.26 Sec. 16. Minnesota Statutes 2020, section 299A.78, subdivision 1, is amended to read:

37.27 Subdivision 1. **Definitions.** For purposes of sections 299A.78 to 299A.795, the following
37.28 definitions apply:

37.29 (a) "Commissioner" means the commissioner of the Department of Public Safety.

37.30 (b) "Nongovernmental organizations" means nonprofit, nongovernmental organizations
37.31 that provide legal, social, or other community services.

38.1 ~~(e) "Blackmail" has the meaning given in section 609.281, subdivision 2.~~

38.2 ~~(c)~~ (c) "Debt bondage" has the meaning given in section 609.281, subdivision 3.

38.3 ~~(e)~~ (d) "Forced labor or services" has the meaning given in section 609.281, subdivision

38.4 4.

38.5 ~~(f)~~ (e) "Labor trafficking" has the meaning given in section 609.281, subdivision 5.

38.6 ~~(g)~~ (f) "Labor trafficking victim" has the meaning given in section 609.281, subdivision

38.7 6.

38.8 ~~(h)~~ (g) "Sex trafficking" has the meaning given in section 609.321, subdivision 7a.

38.9 ~~(i)~~ (h) "Sex trafficking victim" has the meaning given in section 609.321, subdivision

38.10 7b.

38.11 ~~(j)~~ (i) "Trafficking" includes "labor trafficking" and "sex trafficking."

38.12 ~~(k)~~ (j) "Trafficking victim" includes "labor trafficking victim" and "sex trafficking
38.13 victim."

38.14 **EFFECTIVE DATE.** This section is effective August 1, 2022.

38.15 Sec. 17. Minnesota Statutes 2020, section 299A.79, subdivision 3, is amended to read:

38.16 Subd. 3. **Public awareness initiative.** The public awareness initiative required in
38.17 subdivision 1 must address, at a minimum, the following subjects:

38.18 (1) the risks of becoming a trafficking victim;

38.19 (2) common recruitment techniques; use of debt bondage, ~~blackmail~~, forced labor and
38.20 services, prostitution, and other coercive tactics; and risks of assault, criminal sexual conduct,
38.21 exposure to sexually transmitted diseases, and psychological harm;

38.22 (3) crime victims' rights; and

38.23 (4) reporting recruitment activities involved in trafficking.

38.24 **EFFECTIVE DATE.** This section is effective August 1, 2022.

38.25 Sec. 18. **[299A.86] REWARD FUND FOR INFORMATION ON MISSING AND**
38.26 **MURDERED INDIGENOUS RELATIVES.**

38.27 Subdivision 1. **Fund created.** A reward fund for information on missing and murdered
38.28 Indigenous relatives is created as an account in the state treasury. Money appropriated or
39.1 otherwise deposited into the account is available to pay rewards and for other purposes as
39.2 authorized under this section.

39.3 Subd. 2. **Reward.** The director of the Office for Missing and Murdered Indigenous
39.4 Relatives, in consultation with the reward advisory group, is authorized to pay a reward to
39.5 any person who provides relevant information relating to a missing and murdered Indigenous
39.6 relative investigation.

39.7 Subd. 3. **Reward advisory group.** (a) The director of the Office for Missing and
39.8 Murdered Indigenous Relatives, in consultation with the stakeholder groups described in
39.9 section 299A.85, subdivision 5, shall appoint an advisory group to make recommendations
39.10 on paying rewards under this section. The advisory group shall consist of the following
39.11 individuals:

39.12 (1) a representative from the Office for Missing and Murdered Indigenous Relatives;

39.13 (2) a representative from a Tribal, statewide, or local organization that provides legal
39.14 services to Indigenous women and girls;

39.15 (3) a representative from a Tribal, statewide, or local organization that provides advocacy
39.16 or counseling for Indigenous women and girls who have been victims of violence;

39.17 (4) a representative from a Tribal, statewide, or local organization that provides services
39.18 to Indigenous women and girls;

39.19 (5) a Tribal peace officer who works for or resides on a federally recognized American
39.20 Indian reservation in Minnesota; and

39.21 (6) a representative from the Minnesota Human Trafficking Task Force.

39.22 (b) The advisory group shall meet as necessary but at a minimum twice per year to carry
39.23 out its duties and shall elect a chair from among its members at its first meeting. The director
39.24 shall convene the group's first meeting. The director shall provide necessary office space
39.25 and administrative support to the group. Members of the group serve without compensation
39.26 but shall receive expense reimbursement as provided in section 15.059.

39.27 (c) The representative from the Office for Missing and Murdered Indigenous Relatives
39.28 may fully participate in the advisory group's activities but may not vote on issues before
39.29 the group.

39.30 Subd. 4. **Advertising.** The director of the Office for Missing and Murdered Indigenous
39.31 Relatives, in consultation with the reward advisory group, may spend up to four percent of

40.1 available funds on an advertising or public relations campaign to increase public awareness
40.2 on the availability of rewards under this section.

40.3 Subd. 5. **Grants; donations.** The director of the Office for Missing and Murdered
40.4 Indigenous Relatives, in consultation with the reward advisory group, may apply for and
40.5 accept grants and donations from the public and from public and private entities to implement
40.6 this section.

40.7 Subd. 6. **Reward cap.** A reward paid under this section may not exceed \$1,000,000.

40.8 Subd. 7. **Reward procedures and criteria.** The director of the Office for Missing and
40.9 Murdered Indigenous Relatives, in consultation with the reward advisory group, shall
40.10 determine the eligibility criteria and procedures for granting rewards under this section.

40.11 Subd. 8. **Definition.** As used in this section, "missing and murdered Indigenous relatives"
40.12 means missing and murdered Indigenous people from or descended from one of the United
40.13 States' federally recognized American Indian Tribes.

40.14 Sec. 19. **[299A.90] OFFICE FOR MISSING AND MURDERED BLACK WOMEN**
40.15 **AND GIRLS.**

40.16 Subdivision 1. **Establishment.** The commissioner shall establish and maintain an office
40.17 dedicated to preventing and ending the targeting of Black women and girls within the
40.18 Minnesota Office of Justice Programs.

40.19 Subd. 2. **Director; staff.** (a) The commissioner must appoint a director who is a person
40.20 closely connected to the Black community and who is highly knowledgeable about criminal
40.21 investigations. The commissioner is encouraged to consider candidates for appointment
40.22 who are recommended by members of the Black community.

40.23 (b) The director may select, appoint, and compensate out of available funds assistants
40.24 and employees as necessary to discharge the office's responsibilities.

40.25 (c) The director and full-time staff shall be members of the Minnesota State Retirement
40.26 System.

40.27 Subd. 3. **Duties.** (a) The office has the following duties:

40.28 (1) advocate in the legislature for legislation that will facilitate the accomplishment of
40.29 mandates identified in the report of the Task Force on Missing and Murdered African
40.30 American Women;

41.1 (2) advocate for state agencies to take actions to facilitate the accomplishment of mandates
41.2 identified in the report of the Task Force on Missing and Murdered African American
41.3 Women;

- 41.4 (3) develop recommendations for legislative and agency actions to address injustice in
41.5 the criminal justice system's response to cases of missing and murdered Black women and
41.6 girls;
- 41.7 (4) facilitate research to refine the mandates in the report of the Task Force on Missing
41.8 and Murdered African American Women and to assess the potential efficacy, feasibility,
41.9 and impact of the recommendations;
- 41.10 (5) facilitate research and collect data on missing person and homicide cases involving
41.11 Black women and girls, including the total number of cases, the rate at which the cases are
41.12 solved, the length of time the cases remain open, and a comparison to similar cases involving
41.13 different demographic groups;
- 41.14 (6) collect data on Amber Alerts, including the total number of Amber Alerts issued,
41.15 the total number of Amber Alerts that involve Black girls, and the outcome of cases involving
41.16 Amber Alerts disaggregated by the child's race and sex;
- 41.17 (7) collect data on reports of missing Black girls, including the number classified as
41.18 voluntary runaways, and a comparison to similar cases involving different demographic
41.19 groups;
- 41.20 (8) facilitate research to assess the intersection between cases involving missing and
41.21 murdered Black women and girls and labor trafficking and sex trafficking;
- 41.22 (9) develop recommendations for legislative, agency, and community actions to address
41.23 the intersection between cases involving missing and murdered Black women and girls and
41.24 labor trafficking and sex trafficking;
- 41.25 (10) facilitate research to assess the intersection between cases involving murdered Black
41.26 women and girls and domestic violence, including prior instances of domestic violence
41.27 within the family or relationship, whether an offender had prior convictions for domestic
41.28 assault or related offenses, and whether the offender used a firearm in the murder or any
41.29 prior instances of domestic assault;
- 41.30 (11) develop recommendations for legislative, agency, and community actions to address
41.31 the intersection between cases involving murdered Black women and girls and domestic
41.32 violence;
- 42.1 (12) develop tools and processes to evaluate the implementation and impact of the efforts
42.2 of the office;
- 42.3 (13) track and collect Minnesota data on missing and murdered Black women and girls,
42.4 and provide statistics upon public or legislative inquiry;
- 42.5 (14) facilitate technical assistance for local and Tribal law enforcement agencies during
42.6 active cases involving missing and murdered Black women and girls;

- 42.7 (15) conduct case reviews and report on the results of case reviews for the following
42.8 types of cases involving missing and murdered Black women and girls: (i) cold cases for
42.9 missing Black women and girls; and (ii) death investigation review for cases of Black women
42.10 and girls ruled as suicide or overdose under suspicious circumstances;
- 42.11 (16) conduct case reviews of the prosecution and sentencing for cases where a perpetrator
42.12 committed a violent or exploitative crime against a Black woman or girl. These case reviews
42.13 must identify those cases where the perpetrator is a repeat offender;
- 42.14 (17) prepare draft legislation as necessary to allow the office access to the data necessary
42.15 for the office to conduct the reviews required in this section and advocate for passage of
42.16 that legislation;
- 42.17 (18) review sentencing guidelines for crimes related to missing and murdered Black
42.18 women and girls, recommend changes if needed, and advocate for consistent implementation
42.19 of the guidelines across Minnesota courts;
- 42.20 (19) develop and maintain communication with relevant divisions in the Department of
42.21 Public Safety regarding any cases involving missing and murdered Black women and girls
42.22 and on procedures for investigating cases involving missing and murdered Black women
42.23 and girls; and
- 42.24 (20) coordinate, as relevant, with federal efforts, and efforts in neighboring states and
42.25 Canada.
- 42.26 (b) As used in this subdivision:
- 42.27 (1) "labor trafficking" has the meaning given in section 609.281, subdivision 5; and
- 42.28 (2) "sex trafficking" has the meaning given in section 609.321, subdivision 7a.
- 42.29 **Subd. 4. Coordination with other organizations.** In fulfilling its duties, the office may
42.30 coordinate with stakeholder groups that were represented on the Task Force on Missing and
42.31 Murdered African American Women and state agencies that are responsible for the systems
42.32 that play a role in investigating, prosecuting, and adjudicating cases involving violence
43.1 committed against Black women and girls; those who have a role in supporting or advocating
43.2 for missing or murdered Black women and girls and the people who seek justice for them;
43.3 and those who represent the interests of Black people. This includes the following entities:
43.4 Minnesota Chiefs of Police Association; Minnesota Sheriffs' Association; Bureau of Criminal
43.5 Apprehension; Minnesota Police and Peace Officers Association; Tribal law enforcement;
43.6 Minnesota County Attorneys Association; United States Attorney's Office; juvenile courts;
43.7 Minnesota Coroners' and Medical Examiners' Association; United States Coast Guard; state
43.8 agencies, including the Departments of Health, Human Services, Education, Corrections,
43.9 and Public Safety; service providers who offer legal services, advocacy, and other services
43.10 to Black women and girls; Black women and girls who are survivors; and organizations
43.11 and leadership from urban and statewide Black communities.

43.12 Subd. 5. **Reports.** The office must report on measurable outcomes achieved to meet its
43.13 statutory duties, along with specific objectives and outcome measures proposed for the
43.14 following year. The report must include data and statistics on missing and murdered Black
43.15 women and girls in Minnesota, including names, dates of disappearance, and dates of death,
43.16 to the extent the data is publicly available. The office must submit the report by January 15
43.17 each year to the chairs and ranking minority members of the legislative committees with
43.18 primary jurisdiction over public safety.

43.19 Subd. 6. **Grants.** The office may apply for and receive grants from public and private
43.20 entities for the purposes of carrying out the office's duties under this section.

43.21 Subd. 7. **Access to data.** Notwithstanding section 13.384 or 13.85, the director has access
43.22 to corrections and detention data and medical data maintained by an agency and classified
43.23 as private data on individuals or confidential data on individuals to the extent the data is
43.24 necessary for the office to perform its duties under this section.

43.25 **Sec. 20. [299C.055] LEGISLATIVE REPORT ON FUSION CENTER ACTIVITIES.**

43.26 (a) The superintendent must prepare an annual report for the public and the legislature
43.27 on the Minnesota Fusion Center (MNFC) that includes general information about the MNFC;
43.28 the types of activities it monitors; the scale of information it collects; the local, state, and
43.29 federal agencies with which it shares information; and the quantifiable benefits it produces.
43.30 None of the reporting requirements in this section supersede chapter 13 or any other state
43.31 or federal law. The superintendent must report on activities for the preceding calendar year
43.32 unless another time period is specified. The report must include the following information,
43.33 to the extent allowed by other law:

44.1 (1) the MNFC's operating budget for the current biennium, number of staff, and their
44.2 duties;

44.3 (2) the number of publications generated and an overview of the type of information
44.4 provided in them, including products such as law enforcement briefs, partner briefs, risk
44.5 and threat assessments, and operational reports;

44.6 (3) a summary of audit findings for the MNFC and what corrective actions were taken
44.7 pursuant to audits;

44.8 (4) the number of data requests received by the MNFC and a general description of those
44.9 requests;

44.10 (5) the types of surveillance and data analysis technologies utilized by the MNFC, such
44.11 as artificial intelligence or social media analysis tools;

44.12 (6) a description of the commercial and governmental databases utilized by the MNFC
44.13 to the extent permitted by law;

- 44.14 (7) the number of suspicious activity reports (SARs) received and processed by the
44.15 MNFC;
- 44.16 (8) the number of suspicious activity reports received and processed by the MNFC that
44.17 were converted into Bureau of Criminal Apprehension case files, that were referred to the
44.18 Federal Bureau of Investigation, or that were referred to local law enforcement agencies;
- 44.19 (9) the number of suspicious activity reports received and processed by the MNFC that
44.20 involve an individual on the Terrorist Screening Center watchlist;
- 44.21 (10) the number of requests for information (RFIs) that the MNFC received from law
44.22 enforcement agencies and the number of responses to federal requests for requests for
44.23 information;
- 44.24 (11) the names of the federal agencies the MNFC received data from or shared data
44.25 with;
- 44.26 (12) the names of the agencies that submitted suspicious activity reports;
- 44.27 (13) a summary description of the MNFC's activities with the Joint Terrorism Task
44.28 Force; and
- 44.29 (14) the number of investigations aided by the MNFC's use of suspicious activity reports
44.30 and requests for information.
- 45.1 (b) The agency must use existing appropriations to fund preparation of reports required
45.2 under this section.
- 45.3 (c) The report shall be provided to the chairs and ranking minority members of the
45.4 committees of the house of representatives and senate with jurisdiction over data practices
45.5 and public safety issues and shall be posted on the MNFC website by February 15 each year
45.6 beginning on February 15, 2023.
- 45.7 **Sec. 21. [299C.092] QUESTIONED IDENTITY PROCESS.**
- 45.8 Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms in this
45.9 subdivision have the meanings given.
- 45.10 (b) "Questioned identity" means an individual's identity that is associated with another
45.11 person's records when the individual's identity is used by an offender in interactions with
45.12 law enforcement or that the offender has the same name. Questioned identity can lead to
45.13 difficulties differentiating the individual from the offender.
- 45.14 (c) "Bureau" means the Bureau of Criminal Apprehension.
- 45.15 Subd. 2. **Process.** (a) When an individual is the subject of questioned identity, the
45.16 individual may request a review by the bureau through its questioned identity process.
45.17 Individuals must contact the bureau and provide the following:

45.18 (1) documentation of the individual's identity through government-issued photo
45.19 identification;

45.20 (2) documents or information that lead the individual to believe that the individual is
45.21 the subject of questioned identity; and

45.22 (3) fingerprints for identification verification purposes.

45.23 (b) If the bureau is able to confirm that the individual is the subject of questioned identity,
45.24 the bureau shall provide documentation to the individual indicating that the individual has
45.25 been through the bureau's questioned identity process.

45.26 (c) The bureau shall denote any aliases determined to be questioned identities in the
45.27 Criminal History System under section 299C.09 and shall work with other state and local
45.28 agencies to denote aliases in arrest warrants.

45.29 (d) The bureau shall attach a photo of the offender to arrest warrants in the bureau's
45.30 warrant file if a photo is available.

46.1 (e) The bureau, in consultation with reporting criminal justice agencies, may remove an
46.2 alias from a criminal history record when it determines doing so will not negatively impact
46.3 a criminal justice agency's ability to identify the offender in the future. Some considerations
46.4 in making the determination include but are not limited to time elapsed since the alias name
46.5 was last used, frequency with which the alias was used, current incarceration status of the
46.6 offender, whether it is or was the offender's name, and whether the offender is living or
46.7 deceased.

46.8 (f) Law enforcement must take into account the presence of documentation from the
46.9 bureau or another law enforcement agency confirming a questioned identity when considering
46.10 whether an individual has a warrant under section 299C.115 and may contact the bureau or
46.11 the issuing law enforcement agency to confirm authenticity of the documentation provided
46.12 by an individual.

46.13 Sec. 22. Minnesota Statutes 2020, section 299C.46, subdivision 1, is amended to read:

46.14 Subdivision 1. **Establishment.** The commissioner of public safety shall establish a
46.15 criminal justice data communications network that will provide secure access to systems
46.16 and services available from or through the Bureau of Criminal Apprehension. The Bureau
46.17 of Criminal Apprehension may approve additional criminal justice uses by authorized
46.18 agencies to access necessary systems or services not from or through the bureau. The
46.19 commissioner of public safety is authorized to lease or purchase facilities and equipment
46.20 as may be necessary to establish and maintain the data communications network.

46.21 Sec. 23. Minnesota Statutes 2020, section 299C.65, subdivision 1a, is amended to read:

46.22 Subd. 1a. **Membership; duties.** (a) The Criminal and Juvenile Justice Information and
46.23 Bureau of Criminal Apprehension Advisory Group consists of the following members:

- 46.24 (1) the commissioner of corrections or designee;
- 46.25 (2) the commissioner of public safety or designee;
- 46.26 (3) the state chief information officer or designee;
- 46.27 (4) three members of the judicial branch appointed by the chief justice of the supreme
46.28 court;
- 46.29 (5) the commissioner of administration or designee;
- 46.30 (6) the state court administrator or designee;
- 47.1 (7) two members appointed by the Minnesota Sheriffs Association, at least one of whom
47.2 must be a sheriff;
- 47.3 (8) two members appointed by the Minnesota Chiefs of Police Association, at least one
47.4 of whom must be a chief of police;
- 47.5 (9) two members appointed by the Minnesota County Attorneys Association, at least
47.6 one of whom must be a county attorney;
- 47.7 (10) two members appointed by the League of Minnesota Cities representing the interests
47.8 of city attorneys, at least one of whom must be a city attorney;
- 47.9 (11) two members appointed by the Board of Public Defense, at least one of whom must
47.10 be a public defender;
- 47.11 (12) two corrections administrators appointed by the Association of Minnesota Counties
47.12 representing the interests of local corrections, at least one of whom represents a Community
47.13 Corrections Act county;
- 47.14 (13) two probation officers appointed by the commissioner of corrections in consultation
47.15 with the president of the Minnesota Association of Community Corrections Act Counties
47.16 and the president of the Minnesota Association of County Probation Officers;
- 47.17 (14) four public members appointed by the governor representing both metropolitan and
47.18 greater Minnesota for a term of four years using the process described in section 15.059,
47.19 one of whom represents the interests of victims, and one of whom represents the private
47.20 business community who has expertise in integrated information systems and who, for the
47.21 purposes of meetings of the advisory group, may be compensated pursuant to section 15.059;
- 47.22 (15) two members appointed by the Minnesota Association for Court Management, at
47.23 least one of whom must be a court administrator;
- 47.24 (16) one member of the house of representatives appointed by the speaker of the house,
47.25 or an alternate who is also a member of the house of representatives, appointed by the
47.26 speaker of the house;

- 47.27 (17) one member of the senate appointed by the majority leader, or an alternate who is
47.28 also a member of the senate, appointed by the majority leader of the senate;
- 47.29 (18) one member appointed by the attorney general;
- 47.30 (19) two members appointed by the League of Minnesota Cities, one of whom works
47.31 or resides in greater Minnesota and one of whom works or resides in the seven-county
47.32 metropolitan area, and at least one of whom is an elected official;
- 48.1 (20) two members appointed by the Association of Minnesota Counties, one of whom
48.2 works or resides in greater Minnesota and one of whom works or resides in the seven-county
48.3 metropolitan area, and at least one of whom is an elected official; and
- 48.4 (21) the director of the Sentencing Guidelines Commission or a designee.
- 48.5 (b) The chair, first vice-chair, and second vice-chair shall be elected by the advisory
48.6 group.
- 48.7 (c) The advisory group shall serve as the state advisory group on statewide criminal
48.8 justice information policy and funding issues. The advisory group shall study and make
48.9 recommendations to the governor, the supreme court, and the legislature on criminal justice
48.10 information funding and policy issues such as related data practices, individual privacy
48.11 rights, and data on race and ethnicity; information-sharing at the local, state, and federal
48.12 levels; technology education and innovation; the impact of proposed legislation on the
48.13 criminal justice system related to information systems and business processes; and data and
48.14 identification standards.
- 48.15 (d) The advisory group shall have the additional duties of reviewing and advising the
48.16 bureau superintendent on:
- 48.17 (1) audits, accreditation reports, and internal reviews of bureau operations;
- 48.18 (2) emerging technologies in the law enforcement and forensic science fields;
- 48.19 (3) policies and practices that impact individual privacy interests; and
- 48.20 (4) other programmatic and operational initiatives of the bureau at the request of the
48.21 superintendent.
- 48.22 Sec. 24. Minnesota Statutes 2020, section 299C.65, subdivision 3a, is amended to read:
- 48.23 Subd. 3a. **Report.** The advisory group shall file a biennial report with the governor,
48.24 supreme court, and chairs and ranking minority members of the senate and house of
48.25 representatives committees and divisions with jurisdiction over criminal justice funding
48.26 and policy by January 15 in each odd-numbered year. The report must provide the following:
- 48.27 (1) status and review of current statewide criminal justice information systems;

48.28 (2) recommendations concerning any legislative changes or appropriations that are
48.29 needed to ensure that the criminal justice information systems operate accurately and
48.30 efficiently; ~~and~~

49.1 (3) a summary of the activities of the advisory group, including any funding and grant
49.2 requests; and

49.3 (4) a summary of any reviews conducted by the advisory group of bureau audits, reports,
49.4 policies, programs, and procedures and any recommendations provided to the bureau related
49.5 to the reviews.

49.6 Sec. 25. Minnesota Statutes 2020, section 299F.362, is amended to read:

49.7 **299F.362 SMOKE ~~DETECTOR~~ ALARM; INSTALLATION; RULES; PENALTY.**

49.8 Subdivision 1. **Definitions.** For the purposes of this section, the following definitions
49.9 shall apply:

49.10 (a) "Apartment house" is any building, or portion thereof, which is designed, built,
49.11 rented, leased, let, or hired out to be occupied, or which is occupied as the home or residence
49.12 of three or more families living independently of each other and doing their own cooking
49.13 in the building, and shall include buildings containing three or more flats or apartments.

49.14 (b) "Dwelling" is any building, or any portion thereof, which is not an apartment house,
49.15 lodging house, or a hotel and which contains one or two "dwelling units" which are, or are
49.16 intended or designed to be, occupied for living purposes.

49.17 (c) "Dwelling unit" is a single unit providing complete, independent living facilities for
49.18 one or more persons including permanent provisions for living, sleeping, eating, cooking,
49.19 and sanitation, or a single unit used by one or more persons for sleeping and sanitation
49.20 pursuant to a work practice or labor agreement.

49.21 (d) "Hotel" is any building, or portion thereof, containing six or more guest rooms
49.22 intended or designed to be used, or which are used, rented, or hired out to be occupied, or
49.23 which are occupied for sleeping purposes by guests.

49.24 (e) "Lodging house" is any building, or portion thereof, containing not more than five
49.25 guest rooms which are used or are intended to be used for sleeping purposes by guests and
49.26 where rent is paid in money, goods, labor, or otherwise.

49.27 Subd. 2. **Rules, smoke ~~detector~~ alarm location.** The commissioner of public safety
49.28 shall promulgate rules concerning the placement of smoke ~~detectors~~ alarms in dwellings,
49.29 apartment houses, hotels, and lodging houses. The rules shall take into account designs of
49.30 the guest rooms or dwelling units.

49.31 Subd. 3. **Smoke ~~detector~~ alarm for any dwelling.** Every dwelling unit within a dwelling
49.32 must be provided with a smoke ~~detector~~ alarm meeting the requirements of the State Fire
50.1 Code. The ~~detector~~ alarm must be mounted in accordance with the rules regarding smoke

50.2 ~~detector alarm~~ location adopted under subdivision 2. When actuated, the ~~detector alarm~~
50.3 must provide an alarm in the dwelling unit.

50.4 Subd. 3a. **Smoke ~~detector~~ alarm for new dwelling.** In construction of a new dwelling,
50.5 each smoke ~~detector~~ alarm must be attached to a centralized power source.

50.6 Subd. 4. **Smoke ~~detector~~ alarm for apartment, lodging house, or hotel.** Every dwelling
50.7 unit within an apartment house and every guest room in a lodging house or hotel used for
50.8 sleeping purposes must be provided with a smoke ~~detector~~ alarm conforming to the
50.9 requirements of the State Fire Code. In dwelling units, ~~detectors~~ alarms must be mounted
50.10 in accordance with the rules regarding smoke ~~detector~~ alarm location adopted under
50.11 subdivision 2. When actuated, the ~~detector~~ alarm must provide an alarm in the dwelling
50.12 unit or guest room.

50.13 Subd. 5. **Maintenance responsibilities.** For all occupancies covered by this section
50.14 where the occupant is not the owner of the dwelling unit or the guest room, the owner is
50.15 responsible for maintenance of the smoke ~~detectors~~ alarms. An owner may file inspection
50.16 and maintenance reports with the local fire marshal for establishing evidence of inspection
50.17 and maintenance of smoke ~~detectors~~ alarms.

50.18 Subd. 5a. **Inform owner; no added liability.** The occupant of a dwelling unit must
50.19 inform the owner of the dwelling unit of a nonfunctioning smoke ~~detector~~ alarm within 24
50.20 hours of discovering that the smoke ~~detector~~ alarm in the dwelling unit is not functioning.
50.21 If the occupant fails to inform the owner under this subdivision, the occupant's liability for
50.22 damages is not greater than it otherwise would be.

50.23 Subd. 6. **Penalties.** (a) Any person who violates any provision of this section ~~shall be~~
50.24 is subject to the same penalty and the enforcement mechanism that is provided for violation
50.25 of the State Fire Code, as specified in section 299F.011, subdivision 6.

50.26 (b) An occupant who willfully disables a smoke ~~detector~~ alarm or causes it to be
50.27 nonfunctioning, resulting in damage or injury to persons or property, is guilty of a
50.28 misdemeanor.

50.29 Subd. 7. **Local government preempted.** This section prohibits a local unit of government
50.30 from adopting standards different from those provided in this section.

50.31 Subd. 9. **Local government ordinance; installation in single-family**
50.32 **residence.** Notwithstanding subdivision 7, or other law, a local governing body may adopt,
50.33 by ordinance, rules for the installation of a smoke ~~detector~~ alarm in single-family homes in
51.1 the city that are more restrictive than the standards provided by this section. Rules adopted
51.2 pursuant to this subdivision may be enforced through a truth-in-housing inspection.

51.3 Subd. 10. **Public fire safety educator.** The position of Minnesota public fire safety
51.4 educator is established in the Department of Public Safety.

51.5 Subd. 11. **Insurance claim.** No insurer shall deny a claim for loss or damage by fire for
51.6 failure of a person to comply with this section.

51.7 Sec. 26. Minnesota Statutes 2020, section 326.3361, subdivision 2, is amended to read:

51.8 Subd. 2. **Required contents.** The rules adopted by the board must require:

51.9 (1) 12 hours of preassignment or on-the-job certified training within the first 21 days of
51.10 employment, or evidence that the employee has successfully completed equivalent training
51.11 before the start of employment. Notwithstanding any statute or rule to the contrary, this
51.12 clause is satisfied if the employee provides a prospective employer with a certificate or a
51.13 copy of a certificate demonstrating that the employee successfully completed this training
51.14 prior to employment with a different Minnesota licensee and completed this training within
51.15 three previous calendar years, or successfully completed this training with a Minnesota
51.16 licensee while previously employed with a Minnesota licensee. The certificate or a copy of
51.17 the certificate is the property of the employee who completed the training, regardless of
51.18 who paid for the training or how training was provided. A current or former licensed
51.19 employer must provide a copy of a certificate demonstrating the employee's successful
51.20 completion of training to a current or former employee upon the current or former employee's
51.21 request. For purposes of sections 181.960 to 181.966, the person who completed the training
51.22 is entitled to access a copy of the certificate and a current or former employer is obligated
51.23 to comply with the provisions thereunder;

51.24 (2) certification by the board of completion of certified training for a license holder,
51.25 qualified representative, Minnesota manager, partner, and employee to carry or use a firearm,
51.26 a weapon other than a firearm, or an immobilizing or restraint technique; and

51.27 (3) six hours a year of certified continuing training for all license holders, qualified
51.28 representatives, Minnesota managers, partners, and employees, and an additional six hours
51.29 a year for individuals who are armed with firearms or armed with weapons, which must
51.30 include annual certification of the individual.

51.31 An individual may not carry or use a weapon while undergoing on-the-job training under
51.32 this subdivision.

52.1 Sec. 27. Minnesota Statutes 2020, section 340A.304, is amended to read:

52.2 **340A.304 LICENSE SUSPENSION AND REVOCATION.**

52.3 The commissioner shall revoke, or suspend for up to 60 days, a license issued under
52.4 section 340A.301 ~~or~~ 340A.302, or 340A.550, or impose a fine of up to \$2,000 for each
52.5 violation, on a finding that the licensee has violated a state law or rule of the commissioner
52.6 relating to the possession, sale, transportation, or importation of alcoholic beverages. A
52.7 license revocation or suspension under this section is a contested case under sections 14.57
52.8 to 14.69 of the Administrative Procedure Act.

52.9 **EFFECTIVE DATE.** This section is effective July 1, 2022.

52.10 Sec. 28. Minnesota Statutes 2020, section 340A.417, is amended to read:

52.11 **340A.417 WINE SHIPMENTS INTO MINNESOTA.**

52.12 (a) Notwithstanding section 297G.07, subdivision 2, or any provision of this chapter
52.13 ~~except for section 340A.550~~, a winery licensed in a state other than Minnesota, or a winery
52.14 located in Minnesota, may ship, for personal use and not for resale, not more than ~~two~~ 12
52.15 cases of wine, containing a maximum of nine liters per case, in any calendar year to any
52.16 resident of Minnesota age 21 or over. ~~Delivery of a shipment under this section may not be~~
52.17 ~~deemed a sale in this state.~~

52.18 (b) The shipping container of any wine sent under this section must be clearly marked
52.19 "Alcoholic Beverages: adult signature (over 21 years of age) required."

52.20 (c) It is not the intent of this section to impair the distribution of wine through distributors
52.21 or importing distributors, but only to permit shipments of wine for personal use.

52.22 (d) ~~Except for a violation of section 295.75 or chapters 297A and 297G~~, no criminal
52.23 penalty may be imposed on a person for a violation of this section ~~or section 340A.550~~
52.24 other than a violation described in paragraph (e) or (f). Whenever it appears to the
52.25 commissioner that any person has engaged in any act or practice constituting a violation of
52.26 this section, ~~or section 340A.550~~ and the violation is not within two years of any previous
52.27 violation of this section, the commissioner shall issue and cause to be served upon the person
52.28 an order requiring the person to cease and desist from violating this section. The order must
52.29 give reasonable notice of the rights of the person to request a hearing and must state the
52.30 reason for the entry of the order. Unless otherwise agreed between the parties, a hearing
52.31 shall be held not later than ~~seven~~ 20 days after the request for the hearing is received by the
52.32 commissioner after which and within 20 days after the receipt of the administrative law
52.33 judge's report and subsequent exceptions and argument, the commissioner shall issue an
53.1 order vacating the cease and desist order, modifying it, or making it permanent as the facts
53.2 require. If no hearing is requested within 30 days of the service of the order, the order
53.3 becomes final and remains in effect until modified or vacated by the commissioner. All
53.4 hearings shall be conducted in accordance with the provisions of chapter 14. If the person
53.5 to whom a cease and desist order is issued fails to appear at the hearing after being duly
53.6 notified, the person shall be deemed in default, and the proceeding may be determined
53.7 against the person upon consideration of the cease and desist order, the allegations of which
53.8 may be deemed to be true.

53.9 (e) Any person who violates this section ~~or section 340A.550~~ within two years of a
53.10 violation for which a cease and desist order was issued under paragraph (d), is guilty of a
53.11 misdemeanor.

53.12 (f) Any person who commits a third or subsequent violation of this section ~~or section~~
53.13 340A.550 within any subsequent two-year period is guilty of a gross misdemeanor.

53.14 **EFFECTIVE DATE.** This section is effective July 1, 2022.

53.15 Sec. 29. [340A.550] DIRECT SHIPMENTS OF WINE; LICENSING, TAXATION,
53.16 AND RESTRICTIONS.

53.17 Subdivision 1. Definitions. (a) "Direct ship purchaser" means a person who purchases
53.18 wine for personal use and not for resale from a winery located in a state other than Minnesota
53.19 for delivery to a Minnesota address.

53.20 (b) "Direct ship winery" means a winery licensed in a state other than Minnesota that
53.21 manufactures and makes a retail sale of wine and ships the wine to a direct ship purchaser
53.22 as authorized under section 340A.417.

53.23 Subd. 2. License requirements. (a) A direct ship winery must apply to the commissioner
53.24 for a direct ship license. The commissioner must not issue a license under this section unless
53.25 the applicant:

53.26 (1) is a licensed winery in a state other than Minnesota and provides a copy of its current
53.27 license in any state in which it is licensed to manufacture wine;

53.28 (2) provides a shipping address list, including all addresses from which it intends to ship
53.29 wine;

53.30 (3) agrees to comply with the requirements of subdivision 4; and

53.31 (4) consents to the jurisdiction of the Departments of Public Safety and Revenue, the
53.32 courts of this state, and any statute, law, or rule in this state related to the administration or
54.1 enforcement of this section, including any provision authorizing the commissioners of public
54.2 safety and revenue to audit a direct ship winery for compliance with this and any related
54.3 section.

54.4 (b) A direct ship winery obtaining a license under this section must annually renew its
54.5 license by January 1 of each year and must inform the commissioner at the time of renewal
54.6 of any changes to the information previously provided in paragraph (a).

54.7 (c) The application fee for a license is \$50. The fee for a license renewal is \$50. The
54.8 commissioner must deposit all fees received under this subdivision in the alcohol enforcement
54.9 account in the special revenue fund established under section 299A.706.

54.10 Subd. 3. Direct ship wineries; restrictions. (a) A direct ship winery may only ship
54.11 wine from an address provided to the commissioner as required in subdivision 2, paragraph
54.12 (a), clause (2), or through a third-party provider whose name and address the licensee
54.13 provided to the commissioner in the licensee's application for a license.

54.14 (b) A direct ship winery or its third-party provider may only ship wine from the direct
54.15 ship winery's own production.

54.16 Subd. 4. Taxation. A direct ship winery must:

54.17 (1) collect and remit the liquor gross receipts tax as required in section 295.75;

54.18 (2) apply for a permit as required in section 297A.83 and collect and remit the sales and
54.19 use tax imposed as required in chapter 297A;

54.20 (3) remit the tax as required in chapter 297G; and

54.21 (4) provide a statement to the commissioner, on a form prescribed by the commissioner,
54.22 detailing each shipment of wine made to a resident of this state and any other information
54.23 required by the commissioner.

54.24 Subd. 5. **Private or nonpublic data; classification and sharing.** (a) Data collected,
54.25 created, or maintained by the commissioner as required under this section are classified as
54.26 private data on individuals or nonpublic data, as defined in section 13.02, subdivisions 9
54.27 and 12.

54.28 (b) The commissioner must share data classified as private or nonpublic under this
54.29 section with the commissioner of revenue for purposes of administering section 295.75 and
54.30 chapters 289A, 297A, and 297G.

54.31 Subd. 6. **Enforcement; penalties.** Section 340A.417, paragraphs (d) to (f), apply to this
54.32 section.

55.1 **EFFECTIVE DATE.** This section is effective July 1, 2022.

55.2 Sec. 30. **[340A.555] COMMON CARRIER REGULATIONS FOR DIRECT**
55.3 **SHIPMENTS OF WINE.**

55.4 Subdivision 1. **Monthly report required.** Each common carrier that contracts with a
55.5 winery under section 340A.417 for delivery of wine into this state must file with the
55.6 commissioner a monthly report of known wine shipments made by the carrier. The report
55.7 must be made in a form and manner as prescribed by the commissioner and must contain:

55.8 (1) the name of the common carrier making the report;

55.9 (2) the period of time covered by the report;

55.10 (3) the name and business address of the consignor;

55.11 (4) the name and address of the consignee;

55.12 (5) the weight of the package delivered to the consignee;

55.13 (6) a unique tracking number; and

55.14 (7) the date of delivery.

55.15 Subd. 2. **Record availability and retention.** Upon written request by the commissioner,
55.16 any records supporting the report in subdivision 1 must be made available to the
55.17 commissioner within 30 days of the request. Any records containing information relating
55.18 to a required report must be retained and preserved for a period of two years, unless
55.19 destruction of the records prior to the end of the two-year period is authorized in writing

55.20 by the commissioner. All retained records must be open and available for inspection by the
55.21 commissioner upon written request. The commissioner must make the required reports
55.22 available to any law enforcement agency or regulatory body of any local government in the
55.23 state in which the common carrier making the report resides or does business.

55.24 Subd. 3. **Penalty.** If a common carrier willfully violates the requirement to report a
55.25 delivery under this section or violates any rule related to the administration and enforcement
55.26 of this section, the commissioner must notify the common carrier in writing of the violation.
55.27 The commissioner may impose a fine in an amount not to exceed \$500 for each subsequent
55.28 violation.

55.29 Subd. 4. **Exemptions.** This section does not apply to common carriers regulated as
55.30 provided by United States Code, title 49, section 10101, et. seq.; or to rail
55.31 trailer-on-flatcar/container-on-flatcar (TOFC/COFC) service, as provided by Code of Federal
55.32 Regulations, title 49, section 1090.1; or highway TOFC/COFC service provided by a rail
56.1 carrier, either itself or jointly with a motor carrier, as part of continuous intermodal freight
56.2 transportation, including but not limited to any other TOFC/COFC transportation as defined
56.3 under federal law.

56.4 Subd. 5. **Private or nonpublic data; classification and sharing.** (a) Data collected,
56.5 created, or maintained by the commissioner as required under subdivision 1, clauses (4) to
56.6 (6), are classified as private data on individuals or nonpublic data, as defined in section
56.7 13.02, subdivisions 9 and 12.

56.8 (b) The commissioner must share data classified as private or nonpublic under this
56.9 section with the commissioner of revenue for purposes of administering section 295.75 and
56.10 chapters 289A, 297A, and 297G.

56.11 **EFFECTIVE DATE.** This section is effective July 1, 2022.

56.12 Sec. 31. Minnesota Statutes 2020, section 403.02, is amended by adding a subdivision to
56.13 read:

56.14 Subd. 17d. **Public safety telecommunicator.** "Public safety telecommunicator" means
56.15 a person who is employed by a primary, secondary, or Tribal public safety answering point,
56.16 an emergency medical dispatch service provider, or both, and serves as an initial first
56.17 responder to answer incoming emergency telephone calls or provide for the appropriate
56.18 emergency response either directly or through communication with the appropriate public
56.19 safety answering point. Public safety telecommunicator includes persons who supervise
56.20 public safety telecommunicators. Pursuant to section 403.051, after August 1, 2024, public
56.21 safety telecommunicators and those who directly manage or supervise public safety
56.22 telecommunicators must be certified by the commissioner.

56.23 Sec. 32. **[403.051] PUBLIC SAFETY TELECOMMUNICATORS; CERTIFICATION;**
56.24 **TRAINING; CONTINUING EDUCATION.**

56.25 Subdivision 1. **Certification required.** After August 1, 2024, a public safety
56.26 telecommunicator must be certified by the commissioner to serve in that role.

56.27 Subd. 2. **Certification requirements; rulemaking.** (a) The commissioner of public
56.28 safety, in coordination with the Statewide Emergency Communications Board, must adopt
56.29 rules for certification requirements for public safety telecommunicators and establish in
56.30 rule criteria for training, certification, and continuing education that incorporate the
56.31 requirements set forth in paragraph (b).

57.1 (b) The commissioner must require that candidates for public safety telecommunicator
57.2 certification and recertification demonstrate, at a minimum, proficiency in the following
57.3 areas:

57.4 (1) public safety telecommunicator roles and responsibilities;

57.5 (2) applicable legal concepts;

57.6 (3) interpersonal skills;

57.7 (4) emergency communications technology and information systems;

57.8 (5) 911 call processing;

57.9 (6) emergency management;

57.10 (7) radio communications for the public safety telecommunicator;

57.11 (8) stress management; and

57.12 (9) quality performance standards management.

57.13 Subd. 3. **Continuing education.** To maintain certification under this section, a public
57.14 safety telecommunicator must complete 48 hours of approved continuing education
57.15 coursework every two years.

57.16 Sec. 33. Minnesota Statutes 2021 Supplement, section 403.11, subdivision 1, is amended
57.17 to read:

57.18 Subdivision 1. **Emergency telecommunications service fee; account.** (a) Each customer
57.19 of a wireless or wire-line switched or packet-based telecommunications service provider
57.20 connected to the public switched telephone network that furnishes service capable of
57.21 originating a 911 emergency telephone call is assessed a fee based upon the number of
57.22 wired or wireless telephone lines, or their equivalent, to cover the costs of ongoing
57.23 maintenance and related improvements for trunking and central office switching equipment
57.24 for 911 emergency telecommunications service, to offset administrative and staffing costs
57.25 of the commissioner related to managing the 911 emergency telecommunications service
57.26 program, to make distributions provided for in section 403.113, and to offset the costs,

57.27 including administrative and staffing costs, incurred by the State Patrol Division of the
57.28 Department of Public Safety in handling 911 emergency calls made from wireless phones.

57.29 (b) Money remaining in the 911 emergency telecommunications service account after
57.30 all other obligations are paid must not cancel and is carried forward to subsequent years
57.31 and ~~may~~ must be appropriated ~~from time to time~~ to the commissioner to provide financial
58.1 assistance to counties for the improvement of local emergency telecommunications services,
58.2 including public safety telecommunicator training, certification, and continuing education.

58.3 (c) The fee may not be more than 95 cents a month on or after July 1, 2010, for each
58.4 customer access line or other basic access service, including trunk equivalents as designated
58.5 by the Public Utilities Commission for access charge purposes and including wireless
58.6 telecommunications services. With the approval of the commissioner of management and
58.7 budget, the commissioner of public safety shall establish the amount of the fee within the
58.8 limits specified and inform the companies and carriers of the amount to be collected. When
58.9 the revenue bonds authorized under section 403.27, subdivision 1, have been fully paid or
58.10 defeased, the commissioner shall reduce the fee to reflect that debt service on the bonds is
58.11 no longer needed. The commissioner shall provide companies and carriers a minimum of
58.12 45 days' notice of each fee change. The fee must be the same for all customers, except that
58.13 the fee imposed under this subdivision does not apply to prepaid wireless telecommunications
58.14 service, which is instead subject to the fee imposed under section 403.161, subdivision 1,
58.15 paragraph (a).

58.16 (d) The fee must be collected by each wireless or wire-line telecommunications service
58.17 provider subject to the fee. Fees are payable to and must be submitted to the commissioner
58.18 monthly before the 25th of each month following the month of collection, except that fees
58.19 may be submitted quarterly if less than \$250 a month is due, or annually if less than \$25 a
58.20 month is due. Receipts must be deposited in the state treasury and credited to a 911
58.21 emergency telecommunications service account in the special revenue fund. The money in
58.22 the account may only be used for 911 telecommunications services.

58.23 (e) Competitive local exchanges carriers holding certificates of authority from the Public
58.24 Utilities Commission are eligible to receive payment for recurring 911 services.

58.25 Sec. 34. Minnesota Statutes 2021 Supplement, section 609.02, subdivision 16, is amended
58.26 to read:

58.27 Subd. 16. **Qualified domestic violence-related offense.** "Qualified domestic
58.28 violence-related offense" includes a violation of or an attempt to violate sections 518B.01,
58.29 subdivision 14 (violation of domestic abuse order for protection); 609.185 (first-degree
58.30 murder); 609.19 (second-degree murder); 609.195 (third-degree murder); 609.20 (first-degree
58.31 manslaughter); 609.205 (second-degree manslaughter); 609.221 (first-degree assault);
58.32 609.222 (second-degree assault); 609.223 (third-degree assault); 609.2231 (fourth-degree
58.33 assault); 609.224 (fifth-degree assault); 609.2242 (domestic assault); 609.2245 (female
58.34 genital mutilation); 609.2247 (domestic assault by strangulation); 609.25 (kidnapping);
59.1 609.255 (false imprisonment); 609.342 (first-degree criminal sexual conduct); 609.343

59.2 (second-degree criminal sexual conduct); 609.344 (third-degree criminal sexual conduct);
59.3 609.345 (fourth-degree criminal sexual conduct); 609.3458 (sexual extortion); 609.377
59.4 (malicious punishment of a child); 609.713 (terroristic threats); 609.748, subdivision 6
59.5 (violation of harassment restraining order); 609.749 (harassment or stalking); 609.78,
59.6 subdivision 2 (interference with an emergency call); 617.261 (nonconsensual dissemination
59.7 of private sexual images); and 629.75 (violation of domestic abuse no contact order); and
59.8 similar laws of other states, the United States, the District of Columbia, Tribal lands, and
59.9 United States territories.

59.10 **EFFECTIVE DATE.** This section is effective August 1, 2022.

38.12 Sec. 13. Minnesota Statutes 2020, section 609.035, subdivision 1, is amended to read:

38.13 Subdivision 1. **Conduct; multiple crimes; chargeable for one offense.** Except as
38.14 provided in subdivisions 2, 3, 4, ~~and 5, 6, and 7,~~ and in sections 609.2114, subdivision 3,
38.15 609.251, 609.2691, 609.486, 609.494, 609.585, and 609.856, and Minnesota Statutes 2012,
38.16 section 609.21, subdivision 1b, if a person's conduct constitutes more than one offense under
38.17 the laws of this state, the person may be punished for only one of the offenses and a
38.18 conviction or acquittal of any one of them is a bar to prosecution for any other of them. All
38.19 the offenses, if prosecuted, shall be included in one prosecution which shall be stated in
38.20 separate counts.

38.21 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
38.22 committed on or after that date.

38.23 Sec. 14. Minnesota Statutes 2020, section 609.035, is amended by adding a subdivision
38.24 to read:

38.25 Subd. 7. **Exception; certain theft offenses.** Notwithstanding section 609.04, a
38.26 prosecution or conviction for violating section 609.52, subdivision 3a, paragraph (b), is not
38.27 a bar to conviction of or punishment for any other crime committed by the defendant as
38.28 part of the same conduct.

38.29 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
38.30 committed on or after that date.

39.1 Sec. 15. Minnesota Statutes 2020, section 609.106, subdivision 2, is amended to read:

39.2 Subd. 2. **Life without release.** The court shall sentence a person to life imprisonment
39.3 without possibility of release under the following circumstances:

39.4 (1) the person is convicted of first-degree murder under section 609.185, paragraph (a),
39.5 clause (1), (2), (4), or (7);

39.6 (2) the person is convicted of committing first-degree murder in the course of a
39.7 kidnapping under section 609.185, paragraph (a), clause (3); ~~or~~

39.8 (3) the person is convicted of first-degree murder under section 609.185, paragraph (a),
39.9 clause (3), (5), or (6), or 609.2661, clause (3), and the court determines on the record at the
39.10 time of sentencing that the person has one or more previous convictions for a heinous crime;
39.11 or

39.12 (4) the person is convicted of first-degree murder of an unborn child under section
39.13 609.2661, clause (1) or (2).

39.14 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
39.15 committed on or after that date.

39.16 Sec. 16. Minnesota Statutes 2020, section 609.1095, subdivision 2, is amended to read:

39.17 Subd. 2. **Increased sentences for dangerous offender who commits third violent**
39.18 **crime.** Whenever a person is convicted of a violent crime that is a felony; and the judge
39.19 presumption under the Sentencing Guidelines is imposing an executed sentence based on
39.20 a Sentencing Guidelines presumptive imprisonment sentence of imprisonment, the judge
39.21 may shall impose and execute a prison sentence with an aggravated durational departure
39.22 from the presumptive imprisonment sentence up to the statutory maximum sentence if:

39.23 (1) the offender was at least 18 years old at the time the felony was committed; ~~and;~~

39.24 ~~(2)~~ (2) the court determines on the record at the time of sentencing that the offender has
39.25 two or more prior convictions for violent crimes; and

39.26 ~~(3)~~ (3) the fact finder determines that the offender is a danger to public safety. The fact
39.27 finder may base its determination that the offender is a danger to public safety on the
39.28 following factors:

39.29 (i) the offender's past criminal behavior, such as the offender's high frequency rate of
39.30 criminal activity or juvenile adjudications, or long involvement in criminal activity including
39.31 juvenile adjudications; or

40.1 (ii) the fact that the present offense of conviction involved an aggravating factor that
40.2 would justify a durational departure under the Sentencing Guidelines.

40.3 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
40.4 committed on or after that date.

40.5 Sec. 17. Minnesota Statutes 2020, section 609.1095, subdivision 3, is amended to read:

40.6 Subd. 3. **Mandatory sentence for dangerous offender who commits third violent**
40.7 **felony.** (a) Unless a longer mandatory minimum sentence is otherwise required by law or
40.8 the court imposes and executes a longer aggravated durational departure under subdivision
40.9 2 or 4, a person who is convicted of a violent crime that is a felony ~~must shall~~ be committed
40.10 to the commissioner of corrections for a mandatory sentence of at least the length of the

40.11 presumptive sentence under the Sentencing Guidelines if the court determines on the record
40.12 at the time of sentencing that the person has two or more prior felony convictions for violent
40.13 crimes. The court shall impose and execute the prison sentence regardless of whether the
40.14 guidelines presume an executed prison sentence.

40.15 ~~Any person convicted and sentenced as required by this subdivision is not eligible for~~
40.16 ~~probation, parole, discharge, or work release, until that person has served the full term of~~
40.17 ~~imprisonment imposed by the court, notwithstanding sections 241.26, 242.19, 243.05,~~
40.18 ~~244.04, 609.12, and 609.135.~~

40.19 (b) For purposes of this subdivision, "violent crime" does not include a violation of
40.20 section 152.023 or 152.024.

40.21 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
40.22 committed on or after that date.

40.23 Sec. 18. Minnesota Statutes 2020, section 609.1095, subdivision 4, is amended to read:

40.24 Subd. 4. **Increased sentence for offender who commits sixth felony.** Whenever a
40.25 person is convicted of a felony; and the judge presumption under the Sentencing Guidelines
40.26 is imposing an executed sentence based on a Sentencing Guidelines presumptive
40.27 imprisonment sentence of imprisonment, the judge may shall impose and execute a prison
40.28 sentence with an aggravated durational departure from the presumptive sentence up to the
40.29 statutory maximum sentence if the factfinder fact finder determines that the offender has
40.30 five or more prior felony convictions and that the present offense is a felony that was
40.31 committed as part of a pattern of criminal conduct.

41.1 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
41.2 committed on or after that date.

41.3 Sec. 19. Minnesota Statutes 2020, section 609.1095, is amended by adding a subdivision
41.4 to read:

41.5 Subd. 5. **Consecutive sentences; release.** (a) Any person convicted and sentenced as
41.6 required by this section must serve any imposed sentences consecutively to any unexpired
41.7 portion of a previously imposed sentence unless the total time to serve in prison would be
41.8 longer if a concurrent sentence were imposed.

41.9 (b) Notwithstanding sections 241.26, 242.19, 243.05, 244.04, 609.12, and 609.135, any
41.10 person convicted and sentenced as required by this section is not eligible for probation,
41.11 parole, discharge, or work release until that person has served the full term of imprisonment
41.12 imposed by the court.

41.13 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
41.14 committed on or after that date.

41.15 Sec. 20. Minnesota Statutes 2020, section 609.11, subdivision 8, is amended to read:

41.16 Subd. 8. **Motion by prosecutor; dangerous weapons cases.** (a) Except as otherwise
41.17 provided in ~~paragraphs~~ paragraph (b) and (c), prior to the time of sentencing, the prosecutor
41.18 may file a motion to have the defendant sentenced without regard to the mandatory minimum
41.19 ~~sentences~~ sentence established by this section in subdivision 4. The motion shall be
41.20 accompanied by a statement on the record of the reasons for it. When presented with the
41.21 motion, or on its own motion, the court may sentence the defendant without regard to the
41.22 mandatory minimum ~~sentences~~ sentence established by this section in subdivision 4 if the
41.23 court finds substantial and compelling reasons to do so. A sentence imposed under this
41.24 subdivision is a departure from the Sentencing Guidelines.

41.25 (b) The court may not, on its own motion or the prosecutor's motion, sentence a defendant
41.26 without regard to the mandatory minimum ~~sentences~~ sentence established by this section
41.27 in subdivision 4 if the defendant previously has been convicted of an offense listed in
41.28 subdivision 9 in which the defendant used or possessed a firearm or other dangerous weapon.

41.29 (c) ~~The court may not, on its own motion or the prosecutor's motion, sentence a defendant~~
41.30 ~~without regard to the mandatory minimum sentences established by subdivision 5, if the~~
41.31 ~~defendant was convicted of a crime under section 152.021, subdivision 1, or 152.022,~~
41.32 ~~subdivision 1, and the person or an accomplice possessed on their person or within immediate~~
42.1 ~~reach, or used, whether by brandishing, displaying, threatening with, or otherwise employing,~~
42.2 ~~a firearm.~~

42.3 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
42.4 committed on or after that date.

42.5 Sec. 21. Minnesota Statutes 2020, section 609.11, is amended by adding a subdivision to
42.6 read:

42.7 Subd. 8a. **Motion by prosecutor; firearms cases.** (a) Except as otherwise provided in
42.8 paragraphs (c) and (d), prior to the time of sentencing, the prosecutor may file a motion to
42.9 have the defendant sentenced without regard to the mandatory minimum sentence established
42.10 in subdivision 5 for a case in which the basis for the mandatory sentence is that the
42.11 defendant's accomplice had a firearm in possession at the time of the offense. The motion
42.12 may be made only if the defendant was unaware that the accomplice possessed the firearm.
42.13 No motion to sentence a defendant without regard to the mandatory sentence applicable in
42.14 subdivision 5 may be made or granted for any other reason or in any other situation.

42.15 (b) The motion under paragraph (a) shall be accompanied by a statement on the record
42.16 of the reasons for the motion. When presented with the motion, or on its own motion, the
42.17 court may sentence the defendant without regard to the mandatory minimum sentence
42.18 established in subdivision 5 if the court finds that the criteria in paragraph (a) have been
42.19 met and there are substantial and compelling reasons to do so. A sentence imposed under
42.20 this subdivision is a departure from the Sentencing Guidelines.

42.21 (c) The court may not, on its own motion or the prosecutor's motion, sentence a defendant
42.22 described in paragraph (a) without regard to the mandatory minimum sentence established
42.23 in subdivision 5 if the defendant previously had been convicted of an offense listed in
42.24 subdivision 9 in which the defendant used or possessed a firearm or other dangerous weapon.

42.25 (d) The court may not, on its own motion or the prosecutor's motion, sentence a defendant
42.26 described in paragraph (a) without regard to the mandatory minimum sentence established
42.27 by subdivision 5 if the defendant was convicted of a crime under section 152.021, subdivision
42.28 1, or 152.022, subdivision 1, and the person or an accomplice possessed on their person or
42.29 within immediate reach, or used, whether by brandishing, displaying, threatening with, or
42.30 otherwise employing, a firearm.

42.31 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
42.32 committed on or after that date.

43.1 Sec. 22. Minnesota Statutes 2020, section 609.115, subdivision 2a, is amended to read:

43.2 Subd. 2a. **Sentencing worksheet; sentencing guidelines commission.** If the defendant
43.3 has been convicted of a felony, including a felony for which a mandatory life sentence is
43.4 required by law, the court shall cause a sentencing worksheet as provided in subdivision 1
43.5 to be completed and forwarded to the Sentencing Guidelines Commission.

43.6 For the purpose of this section, "mandatory life sentence" means a sentence under section
43.7 609.106, subdivision 2; 609.185; 609.2661; 609.3455; or 609.385, subdivision 2; or
43.8 Minnesota Statutes 2004, section 609.109, subdivision 3, and governed by section 244.05.

43.9 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
43.10 committed on or after that date.

43.11 Sec. 23. Minnesota Statutes 2021 Supplement, section 609.135, subdivision 2, is amended
43.12 to read:

43.13 Subd. 2. **Stay of sentence maximum periods.** (a) If the conviction is for a felony other
43.14 than section 609.2113, subdivision 1 or 2, 609.2114, subdivision 2, or section 609.3451,
43.15 subdivision 1 or 1a, or Minnesota Statutes 2012, section 609.21, subdivision 1a, paragraph
43.16 (b) or (c), the stay shall be for not more than four years or the maximum period for which
43.17 the sentence of imprisonment might have been imposed, whichever is longer.

43.18 (b) If the conviction is for a gross misdemeanor violation of section 169A.20, 609.2113,
43.19 subdivision 3, or 609.3451, or for a felony described in section 609.2113, subdivision 1 or
43.20 2, 609.2114, subdivision 2, or 609.3451, subdivision 1 or 1a, the stay shall be for not more
43.21 than six years. The court shall provide for unsupervised probation for the last year of the
43.22 stay unless the court finds that the defendant needs supervised probation for all or part of
43.23 the last year.

43.24 (c) If the conviction is for a gross misdemeanor not specified in paragraph (b), the stay
43.25 shall be for not more than two years.

43.26 (d) If the conviction is for any misdemeanor under section 169A.20; 609.746, subdivision
43.27 1; 609.79; or 617.23; or for a misdemeanor under section 609.2242 or 609.224, subdivision
43.28 1, in which the victim of the crime was a family or household member as defined in section
43.29 518B.01, the stay shall be for not more than two years. The court shall provide for
43.30 unsupervised probation for the second year of the stay unless the court finds that the
43.31 defendant needs supervised probation for all or part of the second year.

43.32 (e) If the conviction is for a misdemeanor not specified in paragraph (d), the stay shall
43.33 be for not more than one year.

44.1 (f) The defendant shall be discharged six months after the term of the stay expires, unless
44.2 the stay has been revoked or extended under paragraph (g), or the defendant has already
44.3 been discharged.

44.4 (g) Notwithstanding the maximum periods specified for stays of sentences under
44.5 paragraphs (a) to (f), a court may extend a defendant's term of probation for up to one year
44.6 if it finds, at a hearing conducted under subdivision 1a, that:

44.7 (1) the defendant has not paid court-ordered restitution in accordance with the payment
44.8 schedule or structure; and

44.9 (2) the defendant is likely to not pay the restitution the defendant owes before the term
44.10 of probation expires.

44.11 This one-year extension of probation for failure to pay restitution may be extended by the
44.12 court for up to one additional year if the court finds, at another hearing conducted under
44.13 subdivision 1a, that the defendant still has not paid the court-ordered restitution that the
44.14 defendant owes.

44.15 Nothing in this subdivision limits the court's ability to refer the case to collections under
44.16 section 609.104.

44.17 (h) Notwithstanding the maximum periods specified for stays of sentences under
44.18 paragraphs (a) to (f), a court may extend a defendant's term of probation for up to three
44.19 years if it finds, at a hearing conducted under subdivision 1c, that:

44.20 (1) the defendant has failed to complete court-ordered treatment successfully; and

44.21 (2) the defendant is likely not to complete court-ordered treatment before the term of
44.22 probation expires.

44.23 (i) Notwithstanding any law or provision of the Sentencing Guidelines to the contrary,
44.24 when ordering a stay of imposition or execution of sentence for a felony offense described
44.25 in this paragraph, the maximum length of the stay and the process for pronouncing it are
44.26 governed exclusively by this section. This paragraph applies to violations of the following:
44.27 sections 152.021 (controlled substance crime in the first degree); 152.022 (controlled
44.28 substance crime in the second degree); 152.023, subdivision 1 (controlled substance crime
44.29 in the third degree, sales); 152.024, subdivision 1 (controlled substance crime in the fourth

44.30 degree, sales); 152.0261 (importing controlled substances across state borders); 152.0262
44.31 (possession of substances with intent to manufacture methamphetamine); 609.19 (murder
44.32 in the second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the
44.33 first degree); 609.205 (manslaughter in the second degree); 609.2112 (criminal vehicular
45.1 homicide); 609.221 (assault in the first degree); 609.222 (assault in the second degree);
45.2 609.229 (crimes committed for the benefit of a gang); 609.24 (simple robbery); 609.245
45.3 (aggravated robbery); 609.2456 (carjacking); 609.25 (kidnapping); 609.2662 (murder of an
45.4 unborn child in the second degree); 609.2663 (murder of an unborn child in the third degree);
45.5 609.2664 (manslaughter of an unborn child in the first degree); 609.268 (death or injury of
45.6 an unborn child in the commission of a crime); 609.322 (solicitation, inducement, and
45.7 promotion of prostitution; sex trafficking); 609.342 (criminal sexual conduct in the first
45.8 degree); 609.343 (criminal sexual conduct in the second degree); 609.344 (criminal sexual
45.9 conduct in the third degree); 609.345 (criminal sexual conduct in the fourth degree);
45.10 609.3451, subdivision 3 (felony criminal sexual conduct in the fifth degree); 609.377,
45.11 subdivision 6 (malicious punishment of a child, great bodily harm); 609.52 (involving theft
45.12 of a firearm and theft involving the theft of a controlled substance, an explosive, or an
45.13 incendiary device); 609.561 (arson in the first degree); 609.562 (arson in the second degree);
45.14 609.582, subdivision 1 or 2 (burglary in the first and second degrees); 609.66, subdivision
45.15 Ie, paragraph (b) (drive-by shooting at or toward a person or occupied building); 609.71,
45.16 subdivision 1 (riot in the first degree); and 609.749, subdivisions 3, paragraph (b), 4,
45.17 paragraph (b), and 5, paragraph (a) (certain harassment crimes); and an attempt or conspiracy
45.18 to commit any of these offenses where the maximum penalty applicable for the attempt or
45.19 conspiracy is longer than five years imprisonment.

45.20 **EFFECTIVE DATE.** This section is effective the day following final enactment and
45.21 applies to crimes committed on or after that date.

45.22 Sec. 24. Minnesota Statutes 2020, section 609.2231, subdivision 2, is amended to read:

45.23 Subd. 2. **Firefighters and, emergency medical personnel, and other health care**
45.24 **professionals.** Whoever assaults ~~any of the following persons~~ and inflicts demonstrable
45.25 bodily harm ~~on or intentionally throws or otherwise transfers bodily fluids or feces at or~~
45.26 ~~onto any of the following persons~~ is guilty of a felony and may be sentenced to imprisonment
45.27 for not more than two years or to payment of a fine of not more than \$4,000, or both:

45.28 (1) a member of a municipal or volunteer fire department or emergency medical services
45.29 personnel unit in the performance of the member's duties; or

45.30 (2) a physician, nurse, or other person, ~~while providing health care services in a hospital~~
45.31 ~~emergency department.~~

45.32 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
45.33 committed on or after that date.

46.1 Sec. 25. Minnesota Statutes 2020, section 609.2231, subdivision 3, is amended to read:

46.2 Subd. 3. **Correctional employees; prosecuting attorneys; judges; probation**
46.3 **officers.** Whoever commits either of the following acts against ~~an~~ a correctional employee
46.4 ~~of a correctional facility as defined in section 241.021, subdivision 1, paragraph (f) 609.221,~~
46.5 ~~subdivision 6, against a prosecuting attorney as defined in section 609.221, subdivision 2,~~
46.6 ~~paragraph (e), clause (4) 6,~~ against a judge as defined in section 609.221, subdivision 2,
46.7 ~~paragraph (e), clause (5) 6,~~ or against a probation officer or other qualified person employed
46.8 in supervising offenders while the person is engaged in the performance of a duty imposed
46.9 by law, policy, or rule is guilty of a felony and may be sentenced to imprisonment for not
46.10 more than two years or to payment of a fine of not more than \$4,000, or both:

46.11 (1) assaults the person and inflicts demonstrable bodily harm; or

46.12 (2) intentionally throws or otherwise transfers bodily fluids or feces at or onto the person.

46.13 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
46.14 committed on or after that date.

46.15 Sec. 26. Minnesota Statutes 2021 Supplement, section 609.2325, subdivision 1, is amended
46.16 to read:

46.17 Subdivision 1. **Crimes.** A caregiver who, with intent to produce physical or mental pain
46.18 or injury to a vulnerable adult, (1) subjects a vulnerable adult to any aversive or deprivation
46.19 procedure, unreasonable confinement, or involuntary seclusion, or (2) intentionally
46.20 administers a controlled substance to a vulnerable adult without a valid prescription or
46.21 administers the controlled substance in a manner inconsistent with the terms of a valid
46.22 prescription, is guilty of criminal abuse and may be sentenced as provided in subdivision
46.23 3.

46.24 This subdivision does not apply to therapeutic conduct.

46.25 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
46.26 committed on or after that date.

46.27 Sec. 27. **[609.2456] CARJACKING.**

46.28 Subdivision 1. **Crime described.** A person who commits simple robbery as described
46.29 in section 609.24, or aggravated robbery as described in section 609.245, where the personal
46.30 property taken is a motor vehicle as defined in section 609.487, subdivision 2a, is guilty of
46.31 carjacking and may be punished as provided in subdivision 2.

47.1 Subd. 2. **Penalties.** (a) A person who violates subdivision 1 through the commission of
47.2 simple robbery as described in section 609.24 may be sentenced to imprisonment for not
47.3 more than 15 years or to payment of a fine of not more than \$30,000, or both.

59.11 Sec. 35. Minnesota Statutes 2020, section 609.281, subdivision 3, is amended to read:

59.12 Subd. 3. **Debt bondage.** "Debt bondage" ~~means the status or condition of a debtor arising~~
59.13 ~~from a pledge by the debtor of the debtor's personal~~ occurs when a person provides labor
59.14 or services or those of any kind to pay a real or alleged debt of a the person under the debtor's
59.15 ~~control as a security for debt or another, if the value of those the labor or services as~~
59.16 reasonably assessed is not applied toward the liquidation of the debt or the length and nature
59.17 of those the labor or services are not respectively limited and defined.

59.18 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
59.19 committed on or after that date.

59.20 Sec. 36. Minnesota Statutes 2020, section 609.281, subdivision 4, is amended to read:

59.21 Subd. 4. **Forced or coerced labor or services.** "Forced or coerced labor or services"
59.22 means labor or services of any kind that are performed or provided by another person and
59.23 are obtained or maintained through an actor's:

59.24 (1) threat, either implicit or explicit, scheme, plan, ~~or~~ pattern, or other action or statement
59.25 intended to cause a person to believe that, if the person did not perform or provide the labor
59.26 or services, that person or another person would suffer bodily harm or physical restraint;

47.4 (b) A person who violates subdivision 1 through the commission of aggravated robbery
47.5 as described in section 609.245, subdivision 2, may be sentenced to imprisonment for not
47.6 more than 20 years or to payment of a fine of not more than \$35,000, or both.

47.7 (c) A person who violates subdivision 1 through the commission of aggravated robbery
47.8 as described in section 609.245, subdivision 1, may be sentenced to imprisonment for not
47.9 more than 25 years or to payment of a fine of not more than \$40,000, or both.

47.10 Subd. 3. **Mandatory minimum sentences.** (a) A person convicted of carjacking shall
47.11 be committed to the custody of the commissioner of corrections for not less than:

47.12 (1) two years, nor more than 15 years, for a violation of subdivision 2, paragraph (a);

47.13 (2) four years, nor more than 20 years, for a violation of subdivision 2, paragraph (b);

47.14 or

47.15 (3) six years, nor more than 25 years, for a violation of subdivision 2, paragraph (c).

47.16 (b) Notwithstanding the provisions of sections 241.26, 242.19, 243.05, 244.04, 609.12,
47.17 and 609.135, a defendant convicted and sentenced as required by this subdivision is not
47.18 eligible for probation, parole, discharge, work release, or supervised release until that person
47.19 has served the full term of imprisonment as provided by law. Notwithstanding section
47.20 609.135, the court may not stay the imposition or execution of this sentence.

47.21 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
47.22 committed on or after that date.

59.27 sexual contact, as defined in section 609.341, subdivision 11, paragraph (b); or bodily,
59.28 psychological, economic, or reputational harm;

59.29 (2) ~~physically restraining or threatening to physically restrain~~ sexual contact, as defined
59.30 in section 609.341, subdivision 11, paragraph (b), with a person;

59.31 (3) physical restraint of a person;

59.32 (4) infliction of bodily, psychological, economic, or reputational harm;

60.1 ~~(5)~~ (5) abuse or threatened abuse of the legal process, including the use or threatened
60.2 use of a law or legal process, whether administrative, civil, or criminal; or

60.3 ~~(4) knowingly destroying, concealing, removing, confiscating, or possessing (6)~~
60.4 destruction, concealment, removal, confiscation, withholding, or possession of any actual
60.5 or purported passport or other immigration document, or any other actual or purported
60.6 government identification document, of another person; or

60.7 ~~(5) use of blackmail.~~

60.8 EFFECTIVE DATE. This section is effective August 1, 2022, and applies to crimes
60.9 committed on or after that date.

60.10 Sec. 37. Minnesota Statutes 2020, section 609.281, subdivision 5, is amended to read:

60.11 Subd. 5. **Labor trafficking.** "Labor trafficking" means:

60.12 (1) the recruitment, transportation, transfer, harboring, enticement, provision, obtaining,
60.13 or receipt of a person by any means, ~~for the purpose~~ in furtherance of:

60.14 (i) ~~debt bondage or;~~

60.15 (ii) forced labor or services;

60.16 ~~(iii)~~ (iii) slavery or practices similar to slavery; or

60.17 ~~(iii)~~ (iv) the removal of organs through the use of coercion or intimidation; or

60.18 (2) receiving profit or anything of value, knowing or having reason to know it is derived
60.19 from an act described in clause (1).

60.20 EFFECTIVE DATE. This section is effective August 1, 2022, and applies to crimes
60.21 committed on or after that date.

60.22 Sec. 38. Minnesota Statutes 2020, section 609.282, subdivision 1, is amended to read:

60.23 Subdivision 1. ~~Individuals under age 18~~ Labor trafficking resulting in death. Whoever
60.24 knowingly engages in the labor trafficking of an individual ~~who is under the age of 18~~ is
60.25 guilty of a crime and may be sentenced to imprisonment for not more than ~~20~~ 25 years or
60.26 to payment of a fine of not more than \$40,000, or both if the labor trafficking victim dies

60.27 and the death arose out of and in the course of the labor trafficking or the labor and services
60.28 related to the labor trafficking.

60.29 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
60.30 committed on or after that date.

61.1 Sec. 39. Minnesota Statutes 2020, section 609.282, is amended by adding a subdivision
61.2 to read:

61.3 Subd. 1a. **Individuals under age 18; extended period of time; great bodily**
61.4 **harm.** Whoever knowingly engages in the labor trafficking of an individual is guilty of a
61.5 crime and may be sentenced to imprisonment for not more than 20 years or to a payment
61.6 of a fine of not more than \$40,000, or both if any of the following circumstances exist:

61.7 (1) the labor trafficking victim is under the age of 18;

61.8 (2) the labor trafficking occurs over an extended period of time; or

61.9 (3) the labor trafficking victim suffers great bodily harm and the great bodily harm arose
61.10 out of and in the course of the labor trafficking or the labor and services related to the labor
61.11 trafficking.

61.12 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
61.13 committed on or after that date.

47.23 Sec. 28. Minnesota Statutes 2020, section 609.487, is amended by adding a subdivision
47.24 to read:

47.25 Subd. 3a. **Fleeing an officer; motor vehicle; culpable negligence.** Whoever, by means
47.26 of a motor vehicle, flees or attempts to flee a peace officer who is acting in the lawful
47.27 discharge of an official duty, and the perpetrator knows or should reasonably know the same
47.28 to be a peace officer, and who in the course of fleeing operates the vehicle in a culpably
47.29 negligent manner whereby the perpetrator creates an unreasonable risk and consciously
47.30 takes chances of causing death or great bodily harm to another, is guilty of a felony and
47.31 may be sentenced to imprisonment for not more than four years or to payment of a fine of
47.32 not more than \$8,000, or both.

48.1 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
48.2 committed on or after that date.

48.3 Sec. 29. Minnesota Statutes 2020, section 609.487, subdivision 5, is amended to read:

48.4 Subd. 5. **Revocation; fleeing peace officer offense.** When a person is convicted of
48.5 operating a motor vehicle in violation of subdivision 3, 3a, or 4, or an ordinance in conformity
48.6 with those subdivisions, the court shall notify the commissioner of public safety and order
48.7 the commissioner to revoke the driver's license of the person.

48.8 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
48.9 committed on or after that date.

48.10 Sec. 30. Minnesota Statutes 2021 Supplement, section 609.5151, is amended to read:

48.11 **609.5151 DISSEMINATION OF PERSONAL INFORMATION ABOUT LAW**
48.12 **ENFORCEMENT CRIMINAL JUSTICE OFFICIALS PROHIBITED; PENALTY.**

48.13 Subdivision 1. **Definitions.** As used in this section:

48.14 (1) "criminal justice official" includes a peace officer as defined in section 626.84,
48.15 subdivision 1; a prosecuting attorney as defined in section 609.221, subdivision 6; a judge
48.16 as defined in section 609.221, subdivision 6; a person employed as a public defender or a
48.17 criminal defense attorney; a correctional employee as defined in section 609.221, subdivision
48.18 6; and other persons employed by or in the same office as those officials;

48.19 (2) "family or household member" has the meaning given in section 518B.01, subdivision
48.20 2; and

48.21 (2) "law enforcement official" means both peace officers as defined in section 626.84,
48.22 subdivision 1, and persons employed by a law enforcement agency; and

48.23 (3) "personal information" means a home address, directions to a home, or photographs
48.24 of a home.

48.25 Subd. 2. **Crime described.** (a) It is a misdemeanor for a person to knowingly and without
48.26 consent make publicly available, including but not limited to through the Internet, personal
48.27 information about a ~~law enforcement~~ criminal justice official or an official's family or
48.28 household member, if:

48.29 (1) the dissemination poses an imminent and serious threat to the official's safety or the
48.30 safety of an official's family or household member; and

49.1 (2) the person making the information publicly available knows or reasonably should
49.2 know of the imminent and serious threat.

49.3 (b) A person is guilty of a gross misdemeanor if the person violates paragraph (a) and
49.4 a ~~law enforcement~~ criminal justice official or an official's family or household member
49.5 suffers great bodily harm or death as a result of the violation.

49.6 (c) A person who is convicted of a second or subsequent violation of this section is guilty
49.7 of a gross misdemeanor.

49.8 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
49.9 committed on or after that date.

49.10 Sec. 31. Minnesota Statutes 2020, section 609.52, subdivision 3, is amended to read:

49.11 Subd. 3. **Sentence.** Whoever commits theft may be sentenced as follows:

- 49.12 (1) to imprisonment for not more than 20 years or to payment of a fine of not more than
49.13 \$100,000, or both, if the property is a firearm, or the value of the property or services stolen
49.14 is more than \$35,000 and the conviction is for a violation of subdivision 2, clause (3), (4),
49.15 (15), (16), or (19), or section 609.2335, subdivision 1, clause (1) or (2), item (i); or
- 49.16 (2) to imprisonment for not more than ten years or to payment of a fine of not more than
49.17 \$20,000, or both, if the value of the property or services stolen exceeds \$5,000, or if the
49.18 property stolen was an article representing a trade secret, an explosive or incendiary device,
49.19 or a controlled substance listed in Schedule I or II pursuant to section 152.02 with the
49.20 exception of marijuana; or
- 49.21 (3) to imprisonment for not more than five years or to payment of a fine of not more
49.22 than \$10,000, or both, if any of the following circumstances exist:
- 49.23 (a) the value of the property or services stolen is more than \$1,000 but not more than
49.24 \$5,000; or
- 49.25 (b) the property stolen was a controlled substance listed in Schedule III, IV, or V pursuant
49.26 to section 152.02; or
- 49.27 (c) the value of the property or services stolen is more than \$500 but not more than
49.28 \$1,000 and the person has been convicted within the preceding five years for an offense
49.29 under this section, section 256.98; 268.182; 609.24; 609.245; 609.522; 609.53; 609.582,
49.30 subdivision 1, 2, or 3; 609.625; 609.63; 609.631; or 609.821, or a statute from another state,
49.31 the United States, or a foreign jurisdiction, in conformity with any of those sections, and
49.32 the person received a felony or gross misdemeanor sentence for the offense, or a sentence
50.1 that was stayed under section 609.135 if the offense to which a plea was entered would
50.2 allow imposition of a felony or gross misdemeanor sentence; or
- 50.3 (d) the value of the property or services stolen is not more than \$1,000, and any of the
50.4 following circumstances exist:
- 50.5 (i) the property is taken from the person of another or from a corpse, or grave or coffin
50.6 containing a corpse; or
- 50.7 (ii) the property is a record of a court or officer, or a writing, instrument or record kept,
50.8 filed or deposited according to law with or in the keeping of any public officer or office; or
- 50.9 (iii) the property is taken from a burning, abandoned, or vacant building or upon its
50.10 removal therefrom, or from an area of destruction caused by civil disaster, riot, bombing,
50.11 or the proximity of battle; or
- 50.12 (iv) the property consists of public funds belonging to the state or to any political
50.13 subdivision or agency thereof; or
- 50.14 (v) the property stolen is a motor vehicle; or

50.15 (4) to imprisonment for not more than one year or to payment of a fine of not more than
50.16 \$3,000, or both, if the value of the property or services stolen is more than \$500 but not
50.17 more than \$1,000; or

50.18 (5) in all other cases where the value of the property or services stolen is \$500 or less,
50.19 to imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000,
50.20 or both, provided, however, in any prosecution under subdivision 2, clauses (1), (2), (3),
50.21 (4), (13), and (19), the value of the money or property or services received by the defendant
50.22 in violation of any one or more of the above provisions within any six-month period may
50.23 be aggregated and the defendant charged accordingly in applying the provisions of this
50.24 subdivision; provided that when two or more offenses are committed by the same person
50.25 in two or more counties, the accused may be prosecuted in any county in which one of the
50.26 offenses was committed for all of the offenses aggregated under this paragraph.

50.27 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
50.28 committed on or after that date.

50.29 Sec. 32. Minnesota Statutes 2020, section 609.52, subdivision 3a, is amended to read:

50.30 Subd. 3a. **Enhanced penalty.** (a) If a violation of this section creates a reasonably
50.31 foreseeable risk of bodily harm to another, the penalties described in subdivision 3 are
50.32 enhanced as follows:

51.1 (1) if the penalty is a misdemeanor or a gross misdemeanor, the person is guilty of a
51.2 felony and may be sentenced to imprisonment for not more than three years or to payment
51.3 of a fine of not more than \$5,000, or both; and

51.4 (2) if the penalty is a felony, the statutory maximum sentence for the offense is 50 percent
51.5 longer than for the underlying crime.

51.6 (b) Notwithstanding the maximum penalty otherwise provided in subdivision 3, a person
51.7 who violates subdivision 2 where the property stolen is a motor vehicle, and where the
51.8 person uses the vehicle in furtherance of a crime of violence within seven days of the theft,
51.9 is guilty of a felony and may be sentenced:

51.10 (1) to imprisonment for not more than 15 years or to payment of a fine of not more than
51.11 \$30,000, or both, if the value of the stolen vehicle exceeds \$5,000; and

51.12 (2) to imprisonment for not more than ten years or to payment of a fine of not more than
51.13 \$20,000, or both, if the value of the stolen vehicle is \$5,000 or less.

51.14 (c) For the purposes of paragraph (b), "crime of violence" means:

51.15 (1) felony convictions of the following offenses: sections 152.021 (controlled substance
51.16 crime in the first degree); 152.022 (controlled substance crime in the second degree); 152.023,
51.17 subdivision 1 (controlled substance crime in the third degree, sales crimes); 152.024,
51.18 subdivision 1 (controlled substance crimes in the fourth degree, sales crimes); 152.025,
51.19 subdivision 1 (controlled substance crimes in the fifth degree, sales crimes); 152.0261

51.20 (importing controlled substances across state borders); 152.0262 (possession of substances
51.21 with intent to manufacture methamphetamine); 152.027, subdivision 6, paragraph (b) (sale
51.22 of synthetic cannabinoid for remuneration); 152.096 (conspiracy to commit a violation of
51.23 chapter 152); 152.097 (simulated controlled substances); 152.136, subdivision 4 (illegal
51.24 activities relating to anhydrous ammonia); 152.137 (certain methamphetamine-related
51.25 crimes); 152.33, subdivision 1, 2, or 4 (certain violations related to medical cannabis);
51.26 609.165 (possession of firearm or ammunition by an ineligible person); 609.185 (murder
51.27 in the first degree); 609.19 (murder in the second degree); 609.195 (murder in the third
51.28 degree); 609.20 (manslaughter in the first degree); 609.205 (manslaughter in the second
51.29 degree); 609.2112 (criminal vehicular homicide); 609.2113 (criminal vehicular operation);
51.30 609.2114 (criminal vehicular operation, unborn child); 609.215 (aiding suicide and aiding
51.31 attempted suicide); 609.221 (assault in the first degree); 609.222 (assault in the second
51.32 degree); 609.223 (assault in the third degree); 609.2247 (domestic assault by strangulation);
51.33 609.228 (great bodily harm by distribution of drugs); 609.229 (crimes committed for the
51.34 benefit of a gang); 609.235 (use of drugs to injure or facilitate crime); 609.24 (simple
52.1 robbery); 609.245 (aggravated robbery); 609.2456 (carjacking); 609.25 (kidnapping);
52.2 609.255 (false imprisonment); 609.2661 (murder of an unborn child in the first degree);
52.3 609.2662 (murder of an unborn child in the second degree); 609.2663 (murder of an unborn
52.4 child in the third degree); 609.2664 (manslaughter of an unborn child in the first degree);
52.5 609.2665 (manslaughter of an unborn child in the second degree); 609.267 (assault of an
52.6 unborn child in the first degree); 609.2671 (assault of an unborn child in the second degree);
52.7 609.2672 (assault of an unborn child in the third degree); 609.282 (labor trafficking); 609.322
52.8 (solicitation, inducement, and promotion of prostitution; sex trafficking); 609.342 (criminal
52.9 sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second degree);
52.10 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct in
52.11 the fourth degree); 609.3453 (criminal sexual predatory conduct); 609.352 (solicitation of
52.12 children); 609.377 (malicious punishment of a child); 609.378 (neglect or endangerment
52.13 of a child); 609.486 (commission of crime while wearing or possessing a bullet-resistant
52.14 vest); 609.49 (failure to appear); 609.504 (disarming a peace officer); 609.52 (involving
52.15 theft of a firearm and theft involving the theft of a controlled substance, an explosive, or an
52.16 incendiary device); 609.561 (arson in the first degree); 609.562 (arson in the second degree);
52.17 609.582, subdivision 1 or 2 (burglary in the first and second degrees); 609.66, subdivision
52.18 1e (drive-by shooting); 609.67 (unlawfully owning, possessing, operating a machine gun
52.19 or short-barreled shotgun); 609.71 (riot); 609.713 (terroristic threats); and 609.855,
52.20 subdivision 5 (shooting at a public transit vehicle or facility);
52.21 (2) convictions regardless of the penalty level of the following offenses: sections 518B.01
52.22 (domestic abuse orders for protection); 609.2231 (assault in the fourth degree); 609.224
52.23 (assault in the fifth degree); 609.2242 (domestic assault); 609.3451 (criminal sexual conduct
52.24 in the fifth degree); 609.487 (fleeing a peace officer); 609.66 (dangerous weapons); 609.749
52.25 (harassment); 609.75 (domestic abuse no contact orders); and 624.713 (certain persons not
52.26 to possess firearms); and

52.27 (3) an attempt to commit any of these offenses described in clause (1) or (2).

52.28 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
52.29 committed on or after that date.

52.30 Sec. 33. **[609.522] ORGANIZED RETAIL THEFT.**

52.31 Subdivision 1. Definitions. (a) As used in this section, the terms in this subdivision have
52.32 the meanings given.

53.1 (b) "Article surveillance system" means any electronic device or other security device
53.2 that is designed to detect or prevent the unauthorized removal of retail merchandise from
53.3 a retailer.

53.4 (c) "Retailer" means a person or entity that sells retail merchandise.

53.5 (d) "Retail merchandise" means all forms of tangible property, without limitation, held
53.6 out for sale by a retailer.

53.7 (e) "Value" means the retail market value at the time of the theft or, if the retail market
53.8 value cannot be ascertained, the cost of replacement of the property within a reasonable
53.9 time after the theft.

53.10 Subd. 2. Organized retail theft. (a) Whoever steals or fraudulently obtains retail
53.11 merchandise from a retailer commits organized retail theft and may be sentenced as provided
53.12 in subdivision 3 if the actor:

53.13 (1) resells or intends to resell the retail merchandise;

53.14 (2) advertises or displays any item of the retail merchandise for sale;

53.15 (3) returns any item of the retail merchandise to a retailer for anything of value; or

53.16 (4) steals retail merchandise within five years of a conviction under this section.

53.17 (b) Whoever receives, purchases, or possesses retail merchandise knowing or having
53.18 reason to know the retail merchandise was stolen from a retailer and with the intent to resell
53.19 that merchandise may be sentenced as provided in subdivision 3.

53.20 (c) Whoever possesses any device, gear, or instrument designed to assist in shoplifting
53.21 or defeating an electronic article surveillance system with intent to use the same to shoplift
53.22 and thereby commit theft may be sentenced pursuant to subdivision 3, clause (3).

53.23 Subd. 3. Sentence. Whoever commits organized retail theft may be sentenced as follows:

53.24 (1) to imprisonment for not more than 15 years or to payment of a fine of not more than
53.25 \$35,000, or both, if the value of the property stolen exceeds \$5,000;

53.26 (2) to imprisonment for not more than seven years or to payment of a fine of not more
53.27 than \$14,000, or both, if either of the following circumstances exist:

- 53.28 (i) the value of the property stolen is more than \$1,000 but not more than \$5,000; or
- 53.29 (ii) the person commits the offense within ten years of the first of two or more convictions
- 53.30 under this section;
- 54.1 (3) to imprisonment for not more than two years or to payment of a fine of not more
- 54.2 than \$5,000, or both, if either of the following circumstances exist:
- 54.3 (i) the value of the property stolen is more than \$500 but not more than \$1,000; or
- 54.4 (ii) the person commits the offense within ten years of a previous conviction under this
- 54.5 section; or
- 54.6 (4) to imprisonment of not more than one year or to payment of a fine of not more than
- 54.7 \$3,000, or both, if the value of the property stolen is \$500 or less.
- 54.8 Subd. 4. **Aggregation.** The value of the retail merchandise received by the defendant
- 54.9 in violation of this section within any six-month period may be aggregated and the defendant
- 54.10 charged accordingly in applying the provisions of this subdivision; provided that when two
- 54.11 or more offenses are committed by the same person in two or more counties, the accused
- 54.12 may be prosecuted in any county in which one of the offenses was committed for all of the
- 54.13 offenses aggregated under this paragraph.
- 54.14 Subd. 5. **Enhanced penalty.** If a violation of this section creates a reasonably foreseeable
- 54.15 risk of bodily harm to another, the penalties described in subdivision 3 are enhanced as
- 54.16 follows:
- 54.17 (1) if the penalty is a gross misdemeanor, the person is guilty of a felony and may be
- 54.18 sentenced to imprisonment for not more than three years or to payment of a fine of not more
- 54.19 than \$5,000, or both; and
- 54.20 (2) if the penalty is a felony, the statutory maximum sentence for the offense is 50 percent
- 54.21 longer than for the underlying crime.
- 54.22 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
- 54.23 committed on or after that date.
- 54.24 Sec. 34. Minnesota Statutes 2020, section 609.527, subdivision 1, is amended to read:
- 54.25 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
- 54.26 meanings given them in this subdivision.
- 54.27 (b) "Direct victim" means any person or entity described in section 611A.01, paragraph
- 54.28 (b), whose identity has been transferred, used, or possessed in violation of this section.
- 54.29 (c) "False pretense" means any false, fictitious, misleading, or fraudulent information
- 54.30 or pretense or pretext depicting or including or deceptively similar to the name, logo, website
- 54.31 address, e-mail address, postal address, telephone number, or any other identifying

- 55.1 information of a for-profit or not-for-profit business or organization or of a government
55.2 agency, to which the user has no legitimate claim of right.
- 55.3 (d) "Financial institution" has the meaning given in section 13A.01, subdivision 2.
- 55.4 (e) "Identity" means any name, number, or data transmission that may be used, alone or
55.5 in conjunction with any other information, to identify a specific individual or entity, including
55.6 any of the following:
- 55.7 (1) a name, Social Security number, date of birth, official government-issued driver's
55.8 license or identification number, government passport number, or employer or taxpayer
55.9 identification number;
- 55.10 (2) unique electronic identification number, address, account number, or routing code;
55.11 or
- 55.12 (3) telecommunication identification information or access device.
- 55.13 ~~(e)~~ (f) "Indirect victim" means any person or entity described in section 611A.01,
55.14 paragraph (b), other than a direct victim.
- 55.15 ~~(f)~~ (g) "Loss" means value obtained, as defined in section 609.52, subdivision 1, clause
55.16 (3), and expenses incurred by a direct or indirect victim as a result of a violation of this
55.17 section.
- 55.18 ~~(g)~~ (h) "Unlawful activity" means:
- 55.19 (1) any felony violation of the laws of this state or any felony violation of a similar law
55.20 of another state or the United States; and
- 55.21 (2) any nonfelony violation of the laws of this state involving theft, theft by swindle,
55.22 forgery, fraud, or giving false information to a public official, or any nonfelony violation
55.23 of a similar law of another state or the United States.
- 55.24 ~~(h)~~ (i) "Scanning device" means a scanner, reader, or any other electronic device that is
55.25 used to access, read, scan, obtain, memorize, or store, temporarily or permanently,
55.26 information encoded on a computer chip or magnetic strip or stripe of a payment card,
55.27 driver's license, or state-issued identification card.
- 55.28 ~~(i)~~ (j) "Reencoder" means an electronic device that places encoded information from the
55.29 computer chip or magnetic strip or stripe of a payment card, driver's license, or state-issued
55.30 identification card, onto the computer chip or magnetic strip or stripe of a different payment
55.31 card, driver's license, or state-issued identification card, or any electronic medium that
55.32 allows an authorized transaction to occur.
- 56.1 ~~(j)~~ (k) "Payment card" means a credit card, charge card, debit card, or any other card
56.2 that:
- 56.3 (1) is issued to an authorized card user; and

- 56.4 (2) allows the user to obtain, purchase, or receive credit, money, a good, a service, or
56.5 anything of value.
- 56.6 **EFFECTIVE DATE.** This section is effective August 1, 2022.
- 56.7 Sec. 35. Minnesota Statutes 2020, section 609.527, is amended by adding a subdivision
56.8 to read:
- 56.9 **Subd. 8. Release of limited account information to law enforcement authorities.** (a)
56.10 A financial institution may release the information described in paragraph (b) to a law
56.11 enforcement or prosecuting authority that certifies in writing that it is investigating or
56.12 prosecuting a crime of identity theft under this section. The certification must describe with
56.13 reasonable specificity the nature of the suspected identity theft that is being investigated or
56.14 prosecuted, including the dates of the suspected criminal activity.
- 56.15 (b) This subdivision applies to requests for the following information relating to a
56.16 potential victim's account:
- 56.17 (1) the name of the account holder or holders; and
- 56.18 (2) the last known home address and telephone numbers of the account holder or holders.
- 56.19 (c) A financial institution may release the information requested under this subdivision
56.20 that it possesses within a reasonable time after the request. The financial institution may
56.21 not impose a fee for furnishing the information.
- 56.22 (d) A financial institution is not liable in a criminal or civil proceeding for releasing
56.23 information in accordance with this subdivision.
- 56.24 (e) Release of limited account information to a law enforcement agency under this
56.25 subdivision is criminal investigative data under section 13.82, subdivision 7.
- 56.26 **EFFECTIVE DATE.** This section is effective August 1, 2022.
- 56.27 Sec. 36. Minnesota Statutes 2020, section 609.582, subdivision 3, is amended to read:
- 56.28 **Subd. 3. Burglary in the third degree.** (a) Except as otherwise provided in this section,
56.29 whoever enters a building without consent and with intent to steal or commit any felony or
56.30 gross misdemeanor while in the building, or enters a building without consent and steals or
57.1 commits a felony or gross misdemeanor while in the building, either directly or as an
57.2 accomplice, commits burglary in the third degree and may be sentenced to imprisonment
57.3 for not more than five years or to payment of a fine of not more than \$10,000, or both.
- 57.4 (b) Whoever enters a building that is open to the public, other than a building identified
57.5 in subdivision 2, paragraph (b), with intent to steal while in the building, or enters a building
57.6 that is open to the public, other than a building identified in subdivision 2, paragraph (b),
57.7 and steals while in the building, either directly or as an accomplice, commits burglary in

61.14 Sec. 40. Minnesota Statutes 2020, section 609.746, subdivision 1, is amended to read:
61.15 Subdivision 1. **Surreptitious intrusion; observation device.** (a) A person is guilty of
61.16 a gross misdemeanor who:
61.17 (1) enters upon another's property;
61.18 (2) surreptitiously gazes, stares, or peeps in the window or any other aperture of a house
61.19 or place of dwelling of another; and
61.20 (3) does so with intent to intrude upon or interfere with the privacy of a member of the
61.21 household.

57.8 the third degree and may be sentenced to imprisonment for not more than five years or to
57.9 payment of a fine of not more than \$10,000, or both, if:
57.10 (1) the person enters the building within one year after being told to leave the building
57.11 and not return; and
57.12 (2) the person has been convicted within the preceding five years for an offense under
57.13 this section, section 256.98, 268.182, 609.24, 609.245, 609.52, 609.522, 609.53, 609.625,
57.14 609.63, 609.631, or 609.821, or a statute from another state, the United States, or a foreign
57.15 jurisdiction, in conformity with any of those sections, and the person received a felony
57.16 sentence for the offense or a sentence that was stayed under section 609.135 if the offense
57.17 to which a plea was entered would allow imposition of a felony sentence.
57.18 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
57.19 committed on or after that date.
57.20 Sec. 37. Minnesota Statutes 2020, section 609.582, subdivision 4, is amended to read:
57.21 Subd. 4. **Burglary in the fourth degree.** (a) Whoever enters a building without consent
57.22 and with intent to commit a misdemeanor other than to steal, or enters a building without
57.23 consent and commits a misdemeanor other than to steal while in the building, either directly
57.24 or as an accomplice, commits burglary in the fourth degree and may be sentenced to
57.25 imprisonment for not more than one year or to payment of a fine of not more than \$3,000,
57.26 or both.
57.27 (b) Whoever enters a building that is open to the public, other than a building identified
57.28 in subdivision 2, paragraph (b), with intent to steal while in the building, or enters a building
57.29 that is open to the public, other than a building identified in subdivision 2, paragraph (b),
57.30 and steals while in the building, either directly or as an accomplice, commits burglary in
57.31 the fourth degree and may be sentenced to imprisonment for not more than one year or to
57.32 payment of a fine of not more than \$3,000, or both, if the person enters the building within
57.33 one year after being told to leave the building and not return.
58.1 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
58.2 committed on or after that date.

61.22 (b) A person is guilty of a gross misdemeanor who:

61.23 (1) enters upon another's property;

61.24 (2) surreptitiously installs or uses any device for observing, photographing, recording,
61.25 amplifying, or broadcasting sounds or events through the window or any other aperture of
61.26 a house or place of dwelling of another; and

61.27 (3) does so with intent to intrude upon or interfere with the privacy of a member of the
61.28 household.

61.29 (c) A person is guilty of a gross misdemeanor who:

62.1 (1) surreptitiously gazes, stares, or peeps in the window or other aperture of a sleeping
62.2 room in a hotel, as defined in section 327.70, subdivision 3, a tanning booth, or other place
62.3 where a reasonable person would have an expectation of privacy and has exposed or is
62.4 likely to expose their intimate parts, as defined in section 609.341, subdivision 5, or the
62.5 clothing covering the immediate area of the intimate parts; and

62.6 (2) does so with intent to intrude upon or interfere with the privacy of the occupant.

62.7 (d) A person is guilty of a gross misdemeanor who:

62.8 (1) surreptitiously installs or uses any device for observing, photographing, recording,
62.9 amplifying, or broadcasting sounds or events through the window or other aperture of a
62.10 sleeping room in a hotel, as defined in section 327.70, subdivision 3, a tanning booth, or
62.11 other place where a reasonable person would have an expectation of privacy and has exposed
62.12 or is likely to expose their intimate parts, as defined in section 609.341, subdivision 5, or
62.13 the clothing covering the immediate area of the intimate parts; and

62.14 (2) does so with intent to intrude upon or interfere with the privacy of the occupant.

62.15 (e) A person is guilty of a gross misdemeanor who:

62.16 (1) uses any device for observing, photographing, recording, amplifying, or broadcasting
62.17 sounds or events with the intent to capture an image of a private area of an individual without
62.18 the individual's consent; and

62.19 (2) does so with intent to intrude upon or interfere with the privacy of the occupant.

62.20 ~~(e)~~ (f) A person is guilty of a felony and may be sentenced to imprisonment for not more
62.21 than two years or to payment of a fine of not more than \$5,000, or both, if the person:

62.22 (1) violates this subdivision after a previous conviction under this subdivision or section
62.23 609.749; or

62.24 (2) violates this subdivision against a minor under the age of 18, knowing or having
62.25 reason to know that the minor is present.

62.26 ~~(f)~~ (g) A person is guilty of a felony and may be sentenced to imprisonment for not more
62.27 than four years or to payment of a fine of not more than \$5,000, or both, if: (1) the person
62.28 violates paragraph (b) ~~or~~, (d), or (e) against a minor victim under the age of 18; (2) the
62.29 person is more than 36 months older than the minor victim; (3) the person knows or has
62.30 reason to know that the minor victim is present; and (4) the violation is committed with
62.31 sexual intent.

63.1 ~~(g)~~ (h) Paragraphs (b) ~~and~~, (d), and (e) do not apply to law enforcement officers or
63.2 corrections investigators, or to those acting under their direction, while engaged in the
63.3 performance of their lawful duties. Paragraphs (c) ~~and~~, (d), and (e) do not apply to conduct
63.4 in: (1) a medical facility; or (2) a commercial establishment if the owner of the establishment
63.5 has posted conspicuous signs warning that the premises are under surveillance by the owner
63.6 or the owner's employees.

63.7 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
63.8 committed on or after that date.

63.9 Sec. 41. Minnesota Statutes 2020, section 609.87, is amended by adding a subdivision to
63.10 read:

63.11 Subd. 17. **Data.** "Data" means records or information in digital form on a computer or
63.12 in software that can be stored, transmitted, or processed.

63.13 Sec. 42. Minnesota Statutes 2020, section 609.89, subdivision 1, is amended to read:

63.14 Subdivision 1. **Acts.** Whoever does any of the following is guilty of computer theft and
63.15 may be sentenced as provided in subdivision 2:

63.16 (a) intentionally and without authorization or claim of right accesses or causes to be
63.17 accessed any computer, computer system, computer network or any part thereof for the
63.18 purpose of obtaining services or property; ~~or~~

63.19 (b) intentionally and without claim of right, and with intent to deprive the owner of use
63.20 or possession, takes, transfers, conceals or retains possession of any computer, computer
63.21 system, or any computer software or data contained in a computer, computer system, or
63.22 computer network;

63.23 (c) intentionally and without authorization or claim of right accesses or copies any
63.24 computer software or data and uses, alters, transfers, retains, or publishes the software or
63.25 data; or

63.26 (d) intentionally retains copies of any computer software or data beyond the individual's
63.27 authority.

63.28 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
63.29 committed on or after that date.

58.3 Sec. 38. Minnesota Statutes 2020, section 609B.205, is amended to read:

58.4 **609B.205 FLEEING PEACE OFFICER; REVOCATION.**

58.5 A person's driver's license is revoked under section 171.174 if that person is convicted
58.6 of fleeing a peace officer under section 609.487, subdivision 3, 3a, or 4. The periods of
58.7 revocation vary depending upon the offense of conviction and whether the offense of
58.8 conviction is a second or subsequent offense.

58.9 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
58.10 committed on or after that date.

58.11 Sec. 39. **[617.247] CONDITIONS OF PROBATION.**

58.12 When sentencing a person convicted of violating any provision of section 617.246 or
58.13 617.247, where the court is not committing the person to the custody of the commissioner
58.14 of corrections, the court shall consider the following for inclusion as a condition of probation:

58.15 (1) incarceration in a local jail;

58.16 (2) completion of an appropriate sex offender or psycho-sexual offender evaluation,
58.17 with the requirement that all recommendations be successfully completed; and

58.18 (3) prohibition on the person having contact with minors, including a complete
58.19 prohibition, a prohibition on unsupervised contact, or a prohibition on contact that has not
58.20 been approved in advance by the person's probation officer.

58.21 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
58.22 committed on or after that date.

58.23 Sec. 40. Minnesota Statutes 2020, section 626.15, is amended to read:

58.24 **626.15 EXECUTION AND RETURN OF WARRANT; TIME.**

58.25 (a) Except as provided in paragraph ~~(b)~~ (c), a search warrant must be executed and
58.26 returned to the court which issued it within ten days after its date. After the expiration of
58.27 this time, the warrant is void unless previously executed.

58.28 (b) A search warrant on a financial institution for financial records is valid for 30 days.

58.29 (c) A district court judge may grant an extension of a the warrant on a financial institution
58.30 for financial records upon an application under oath stating that the financial institution has
59.1 not produced the requested financial records within ~~ten days~~ the 30-day period and that an
59.2 extension is necessary to achieve the purposes for which the search warrant was granted.
59.3 Each extension may not exceed 30 days.

59.4 (d) For the purposes of this ~~paragraph~~ section, "financial institution" has the meaning
59.5 given in section 13A.01, subdivision 2, and "financial records" has the meaning given in
59.6 section 13A.01, subdivision 3.

63.30 Sec. 43. Minnesota Statutes 2020, section 626.843, subdivision 1, is amended to read:

63.31 Subdivision 1. **Rules required.** (a) The board shall adopt rules with respect to:

64.1 (1) the certification of postsecondary schools to provide programs of professional peace
64.2 officer education;

64.3 (2) minimum courses of study and equipment and facilities to be required at each certified
64.4 school within the state;

64.5 (3) minimum qualifications for coordinators and instructors at certified schools offering
64.6 a program of professional peace officer education located within this state;

64.7 (4) minimum standards of physical, mental, and educational fitness which shall govern
64.8 the admission to professional peace officer education programs and the licensing of peace
64.9 officers within the state, by any state, county, municipality, or joint or contractual
64.10 combination thereof, including members of the Minnesota State Patrol;

64.11 (5) board-approved continuing education courses that ensure professional competence
64.12 of peace officers and part-time peace officers;

64.13 (6) minimum standards of conduct which would affect the individual's performance of
64.14 duties as a peace officer. These standards shall be established and published. The board

59.7 **EFFECTIVE DATE.** This section is effective August 1, 2022.

59.8 Sec. 41. **[626.5535] CARJACKING; REPORTING REQUIRED.**

59.9 Subdivision 1. **Definition.** For purposes of this section, "carjacking" has the meaning
59.10 given in section 609.2456.

59.11 Subd. 2. **Use of information collected.** (a) The head of a local law enforcement agency
59.12 or state law enforcement department that employs peace officers, as defined in section
59.13 626.84, subdivision 1, paragraph (c), must forward the following carjacking information
59.14 from the agency's or department's jurisdiction to the commissioner of public safety at least
59.15 quarterly each year:

59.16 (1) the number of carjacking attempts;

59.17 (2) the number of carjackings;

59.18 (3) the number of persons injured in each offense;

59.19 (4) the number of persons killed in each offense; and

59.20 (5) weapons used in each offense, if any.

59.21 (b) The commissioner of public safety must include the data received under paragraph
59.22 (a) in a separate carjacking category in the department's annual uniform crime report.

59.23 **EFFECTIVE DATE.** This section is effective August 1, 2022.

64.15 shall review the minimum standards of conduct described in this clause for possible
64.16 modification in 1998 and every three years after that time;

64.17 (7) a set of educational learning objectives that must be met within a certified school's
64.18 professional peace officer education program. These learning objectives must concentrate
64.19 on the knowledge, skills, and abilities deemed essential for a peace officer. Education in
64.20 these learning objectives shall be deemed satisfactory for the completion of the minimum
64.21 basic training requirement;

64.22 (8) the establishment and use by any political subdivision or state law enforcement
64.23 agency that employs persons licensed by the board of procedures for investigation and
64.24 resolution of allegations of misconduct by persons licensed by the board. The procedures
64.25 shall be in writing and shall be established on or before October 1, 1984;

64.26 (9) the issues that must be considered by each political subdivision and state law
64.27 enforcement agency that employs persons licensed by the board in establishing procedures
64.28 under section 626.5532 to govern the conduct of peace officers who are in pursuit of a
64.29 vehicle being operated in violation of section 609.487, and requirements for the training of
64.30 peace officers in conducting pursuits. The adoption of specific procedures and requirements
64.31 is within the authority of the political subdivision or agency;

65.1 (10) supervision of part-time peace officers and requirements for documentation of hours
65.2 worked by a part-time peace officer who is on active duty. These rules shall be adopted by
65.3 December 31, 1993;

65.4 (11) citizenship requirements for peace officers and part-time peace officers;

65.5 (12) driver's license requirements for peace officers and part-time peace officers; and

65.6 (13) such other matters as may be necessary consistent with sections 626.84 to 626.863.
65.7 Rules promulgated by the attorney general with respect to these matters may be continued
65.8 in force by resolution of the board if the board finds the rules to be consistent with sections
65.9 626.84 to 626.863.

65.10 (b) In adopting and enforcing the rules described under paragraph (a), the board shall
65.11 prioritize the goal of promoting public safety. Promoting public safety includes the promotion
65.12 of human rights. "Public safety" means reducing or preventing crime by diverting people
65.13 away from the criminal justice system whenever possible, effecting arrest or detention
65.14 practices that are the least restrictive necessary to protect the public, and promoting the
65.15 rehabilitation of those who engage in criminal activity through the provision of
65.16 evidence-based programming and services, while still maintaining the basic rights, freedoms,
65.17 and privileges that belong to every person, including the right to dignity, fairness, equality,
65.18 respect, and freedom from discrimination.

59.24 Sec. 42. Minnesota Statutes 2020, section 626.8452, is amended by adding a subdivision
59.25 to read:

59.26 Subd. 1b. **Prohibition against retaliation; employers.** (a) An employer or supervisor
59.27 shall not discharge, discipline, threaten, retaliate, otherwise discriminate against, or penalize
59.28 a peace officer regarding the officer's compensation, terms, conditions, location, or privileges
59.29 of employment because the officer interceded or made a report in compliance with section
60.1 626.8475 or a policy adopted under subdivision 1a regarding another employee or peace
60.2 officer who used excessive force.

60.3 (b) A court may order the employer or supervisor to pay back wages and offer job
60.4 reinstatement to any officer discharged from employment in violation of paragraph (a).

60.5 (c) In addition to any remedies otherwise provided by law, a peace officer injured by a
60.6 violation of paragraph (a) may bring a civil action for recovery of damages together with
60.7 costs and disbursements, including reasonable attorney fees, and may receive injunctive
60.8 and other equitable relief, including reinstatement, as determined by the court.

60.9 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to causes
60.10 of action accruing on or after that date.

60.11 Sec. 43. Minnesota Statutes 2020, section 626.8452, is amended by adding a subdivision
60.12 to read:

60.13 Subd. 1c. **Prohibition against retaliation; fellow officers.** (a) A peace officer or
60.14 employee of a law enforcement agency may not threaten, harass, retaliate, or otherwise
60.15 discriminate against a peace officer because the officer interceded or made a report in
60.16 compliance with section 626.8475 or a policy adopted under subdivision 1a regarding
60.17 another employee or peace officer who used excessive force.

60.18 (b) A person who violates paragraph (a) is subject to disciplinary action as determined
60.19 by the chief law enforcement officer of the agency employing the person.

60.20 (c) A peace officer who is the victim of conduct prohibited in paragraph (a) may bring
60.21 a civil action for recovery of damages together with costs and disbursements, including
60.22 reasonable attorney fees, and may receive injunctive and other equitable relief as determined
60.23 by the court.

60.24 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to causes
60.25 of action accruing on or after that date.

60.26 Sec. 44. **[626.8477] REQUIRED RETENTION OF RECORDINGS OF DETAINED**
60.27 **PERSONS.**

60.28 Each chief law enforcement officer of a law enforcement agency shall ensure that any
60.29 video or audio recording made of a person during a custodial interview, booking, or implied
60.30 consent or breath testing proceeding is retained for 60 days from the date of recording or

60.31 until all criminal proceedings relating to the person recorded are complete, whichever period
60.32 is longer.

65.19 Sec. 44. Minnesota Statutes 2020, section 626A.35, is amended by adding a subdivision
65.20 to read:

65.21 Subd. 2b. **Exception; stolen motor vehicles.** (a) The prohibition under subdivision 1
65.22 does not apply to the use of a mobile tracking device on a stolen motor vehicle when:

65.23 (1) the consent of the owner of the vehicle has been obtained; or

65.24 (2) the owner of the motor vehicle has reported to law enforcement that the vehicle is
65.25 stolen, and the vehicle is occupied when the tracking device is installed.

65.26 (b) Within 24 hours of a tracking device being attached to a vehicle pursuant to the
65.27 authority granted in paragraph (a), clause (2), an officer employed by the agency that attached
65.28 the tracking device to the vehicle must remove the device, disable the device, or obtain a
65.29 search warrant granting approval to continue to use the device in the investigation.

65.30 (c) A peace officer employed by the agency that attached a tracking device to a stolen
65.31 motor vehicle must remove the tracking device if the vehicle is recovered and returned to
65.32 the owner.

66.1 (d) Any tracking device evidence collected after the motor vehicle is returned to the
66.2 owner is inadmissible.

66.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

66.4 Sec. 45. Minnesota Statutes 2021 Supplement, section 628.26, is amended to read:

66.5 **628.26 LIMITATIONS.**

66.6 (a) Indictments or complaints for any crime resulting in the death of the victim may be
66.7 found or made at any time after the death of the person killed.

66.8 (b) Indictments or complaints for a violation of section 609.25 may be found or made
66.9 at any time after the commission of the offense.

66.10 (c) Indictments or complaints for violation of section 609.282 may be found or made at
66.11 any time after the commission of the offense if the victim was under the age of 18 at the
66.12 time of the offense.

66.13 (d) Indictments or complaints for violation of section 609.282 where the victim was 18
66.14 years of age or older at the time of the offense, or 609.42, subdivision 1, clause (1) or (2),
66.15 shall be found or made and filed in the proper court within six years after the commission
66.16 of the offense.

66.17 (e) Indictments or complaints for violation of sections 609.322, 609.342 to 609.345, and
66.18 609.3458 may be found or made at any time after the commission of the offense.

66.19 (f) Indictments or complaints for violation of sections 609.466 and 609.52, subdivision
66.20 2, paragraph (a), clause (3), item (iii), shall be found or made and filed in the proper court
66.21 within six years after the commission of the offense.

66.22 (g) Indictments or complaints for violation of section 609.2335, 609.52, subdivision 2,
66.23 paragraph (a), clause (3), items (i) and (ii), (4), (15), or (16), 609.631, or 609.821, where
66.24 the value of the property or services stolen is more than \$35,000, or for violation of section
66.25 609.527 where the offense involves eight or more direct victims or the total combined loss
66.26 to the direct and indirect victims is more than \$35,000, shall be found or made and filed in
66.27 the proper court within five years after the commission of the offense.

66.28 (h) Except for violations relating to false material statements, representations or
66.29 omissions, indictments or complaints for violations of section 609.671 shall be found or
66.30 made and filed in the proper court within five years after the commission of the offense.

66.31 (i) Indictments or complaints for violation of sections 609.561 to 609.563; shall be found
66.32 or made and filed in the proper court within five years after the commission of the offense.

67.1 (j) Indictments or complaints for violation of section 609.746 shall be found or made
67.2 and filed in the proper court within the later of three years after the commission of the
67.3 offense or three years after the offense was reported to law enforcement authorities.

67.4 ~~(j)~~ (k) In all other cases, indictments or complaints shall be found or made and filed in
67.5 the proper court within three years after the commission of the offense.

67.6 ~~(k)~~ (l) The limitations periods contained in this section shall exclude any period of time
67.7 during which the defendant was not an inhabitant of or usually resident within this state.

67.8 ~~(l)~~ (m) The limitations periods contained in this section for an offense shall not include
67.9 any period during which the alleged offender participated under a written agreement in a
67.10 pretrial diversion program relating to that offense.

67.11 ~~(m)~~ (n) The limitations periods contained in this section shall not include any period of
67.12 time during which physical evidence relating to the offense was undergoing DNA analysis,
67.13 as defined in section 299C.155, unless the defendant demonstrates that the prosecuting or
67.14 law enforcement agency purposefully delayed the DNA analysis process in order to gain
67.15 an unfair advantage.

67.16 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
67.17 committed on or after that date.

67.18 Sec. 46. Minnesota Statutes 2020, section 629.341, subdivision 3, is amended to read:

67.19 Subd. 3. **Notice of rights.** The peace officer shall tell the victim whether a shelter or
67.20 other services are available in the community and give the victim immediate notice of the
67.21 legal rights and remedies available. The notice must include furnishing the victim a copy
67.22 of the following statement:

67.23 "IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the city or
67.24 county attorney to file a criminal complaint. You also have the right to go to court and file
67.25 a petition requesting an order for protection from domestic abuse. The order could include
67.26 the following:

67.27 (1) an order restraining the abuser from further acts of abuse;

67.28 (2) an order directing the abuser to leave your household;

67.29 (3) an order preventing the abuser from entering your residence, school, business, or
67.30 place of employment;

67.31 (4) an order awarding you or the other parent custody of or parenting time with your
67.32 minor child or children; or

68.1 (5) an order directing the abuser to pay support to you and the minor children if the
68.2 abuser has a legal obligation to do so."

68.3 The notice must include the resource listing, including telephone number, for the area
68.4 battered women's shelter, to be designated by the Office of Justice Programs in the
68.5 Department of Corrections Public Safety.

68.6 Sec. 47. Minnesota Statutes 2020, section 629.341, subdivision 4, is amended to read:

68.7 Subd. 4. **Report required.** Whenever a peace officer investigates an allegation that an
68.8 incident described in subdivision 1 has occurred, whether or not an arrest is made, the officer
68.9 shall make a written police report of the alleged incident. The report must contain at least
68.10 the following information: the name, address and telephone number of the victim, if provided
68.11 by the victim, a statement as to whether an arrest occurred, the name of the arrested person,
68.12 and a brief summary of the incident. Data that identify a victim who has made a request
68.13 under section 13.82, subdivision 17, paragraph (d), and that are private data under that
68.14 subdivision, shall be private in the report required by this section. A copy of this report must
68.15 be provided upon request, at no cost, to the victim of domestic abuse, the victim's attorney,
68.16 or organizations designated by the Office of Justice Programs in the Department of Public
68.17 Safety ~~or the commissioner of corrections~~ that are providing services to victims of domestic
68.18 abuse. The officer shall submit the report to the officer's supervisor or other person to whom
68.19 the employer's rules or policies require reports of similar allegations of criminal activity to
68.20 be made.

68.21 Sec. 48. Minnesota Statutes 2020, section 629.72, subdivision 6, is amended to read:

68.22 Subd. 6. **Notice; release of arrested person.** (a) Immediately after issuance of a citation
68.23 in lieu of continued detention under subdivision 1, or the entry of an order for release under
68.24 subdivision 2, but before the arrested person is released, the agency having custody of the
68.25 arrested person or its designee must make a reasonable and good faith effort to inform orally
68.26 the alleged victim, local law enforcement agencies known to be involved in the case, if
68.27 different from the agency having custody, and, at the victim's request any local battered

68.28 women's and domestic abuse programs established under section 611A.32 or sexual assault
68.29 programs of:

68.30 (1) the conditions of release, if any;

68.31 (2) the time of release;

69.1 (3) the time, date, and place of the next scheduled court appearance of the arrested person
69.2 and the victim's right to be present at the court appearance; and

69.3 (4) if the arrested person is charged with domestic abuse, the location and telephone
69.4 number of ~~the area battered women's shelter as~~ programs that provide services to victims
69.5 of domestic abuse designated by the Office of Justice Programs in the Department of Public
69.6 Safety.

69.7 (b) As soon as practicable after an order for conditional release is entered, the agency
69.8 having custody of the arrested person or its designee must personally deliver or mail to the
69.9 alleged victim a copy of the written order and written notice of the information in paragraph
69.10 (a), clauses (2) and (3).

69.11 (c) Data on the victim and the notice provided by the custodial authority are private data
69.12 on individuals as defined in section 13.02, subdivision 12, and are accessible only to the
69.13 victim.

69.14 Sec. 49. Laws 2021, First Special Session chapter 11, article 2, section 12, is amended to
69.15 read:

69.16 Sec. 12. **299A.477 HOMETOWN HEROES ASSISTANCE PROGRAM.**

69.17 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

69.18 (b) "Critical illness" means cardiac disease and cancer as well as other illnesses covered
69.19 by a policy of insurance issued by an insurer in compliance with chapter 60A.

69.20 ~~(b)~~ (c) "Firefighter" means a volunteer, paid on-call, part-time, or career firefighter
69.21 -serving a general population within the boundaries of the state.

69.22 ~~(c)~~ (d) "Minnesota Firefighter Initiative" means a collaborative that is established by
69.23 major fire service organizations in Minnesota, is a nonprofit organization, and is tax exempt
69.24 under section 501(c)(3) of the Internal Revenue Code.

69.25 Subd. 2. **Program established.** The commissioner of public safety shall award a grant
69.26 to the Minnesota Firefighter Initiative to administer a hometown heroes assistance program
69.27 for Minnesota firefighters. The Minnesota Firefighter Initiative shall use the grant funds:

69.28 (1) ~~to provide a onetime~~ to provide a onetime ~~establish and fund critical illness coverage that provides monetary~~
69.29 support payment payments to each firefighter who is diagnosed with ~~cancer or heart disease~~
69.30 a critical illness on or after August 1, 2021, and who applies for the payment. Monetary
69.31 support shall be provided according to the requirements in subdivision 3;

70.1 (2) to develop a psychotherapy program customized to address emotional trauma
70.2 experienced by firefighters and to offer all firefighters in the state up to five psychotherapy
70.3 sessions per year under the customized program, provided by mental health professionals;

70.4 (3) to ~~offer~~ coordinate additional psychotherapy sessions to firefighters who need them;

70.5 (4) to develop, annually update, and annually provide to all firefighters in the state at
70.6 least two hours of training on critical illnesses, such as cancer, and heart disease, and
70.7 emotional trauma as causes of illness and death for firefighters; steps and best practices for
70.8 firefighters to limit the occupational risks of cancer, heart disease, and emotional trauma;
70.9 provide evidence-based suicide prevention strategies; and ways for firefighters to address
70.10 occupation-related emotional trauma and promote emotional wellness. The training shall
70.11 be presented by firefighters who attend an additional course to prepare them to serve as
70.12 trainers; and

70.13 (5) for administrative and overhead costs of the Minnesota Firefighter Initiative associated
70.14 with conducting the activities in clauses (1) to (4).

70.15 Subd. 3. **Critical illness monetary support program.** (a) The Minnesota Firefighter
70.16 Initiative shall establish and administer a critical illness monetary support program which
70.17 shall provide ~~a one-time support payment~~ payments of up to \$20,000 to each eligible
70.18 firefighter diagnosed with cancer or heart disease. A firefighter may apply for monetary
70.19 support from the program, in a form specified by the Minnesota Firefighter Initiative, if the
70.20 firefighter has a current diagnosis of cancer or heart disease or was diagnosed with cancer
70.21 or heart disease in the year preceding the firefighter's application. A firefighter who is
70.22 diagnosed with a critical illness on or after August 1, 2021, is eligible to apply for benefits
70.23 under the monetary support program and has 12 months from the diagnosis to submit an
70.24 application. A firefighter's application for monetary support must include a certification
70.25 from the firefighter's health care provider of the firefighter's diagnosis ~~with cancer or heart~~
70.26 ~~disease~~ of an eligible critical illness. The Minnesota Firefighter Initiative shall establish
70.27 criteria to guide disbursement of monetary support payments under this program, and shall
70.28 scale the amount of monetary support provided to each firefighter according to the severity
70.29 of the firefighter's diagnosis.

70.30 (b) The commissioner of public safety may access the accounts of the critical illness
70.31 monetary support program ~~and may~~ to conduct periodic audits of the program to ensure that
70.32 payments are being made in compliance with this section and disbursement criteria
70.33 established by the Minnesota Firefighter Initiative.

71.1 Subd. 4. **Money from nonstate sources.** The commissioner may accept contributions
71.2 from nonstate sources to supplement state appropriations for the hometown heroes assistance
71.3 program. Contributions received under this subdivision are appropriated to the commissioner
71.4 for the grant to the Minnesota Firefighter Initiative for purposes of this section.

- 71.5 Sec. 50. TASK FORCE ON A COORDINATED APPROACH TO JUVENILE
71.6 WELLNESS AND JUSTICE.
- 71.7 Subdivision 1. Establishment. The Task Force on a Coordinated Approach to Juvenile
71.8 Wellness and Justice is established to review the juvenile justice system in Minnesota,
71.9 examine approaches taken in other jurisdictions, and make policy and funding
71.10 recommendations to the legislature.
- 71.11 Subd. 2. Membership. (a) The task force consists of the following members:
- 71.12 (1) a district court judge serving as the presiding judge in a district juvenile court
71.13 appointed by the governor;
- 71.14 (2) the state public defender or a designee;
- 71.15 (3) a county attorney appointed by the Minnesota County Attorneys Association;
- 71.16 (4) the warden of the Minnesota correctional facility for juveniles in Red Wing or a
71.17 designee;
- 71.18 (5) a representative from a Tribal social services agency or a Tribal Council appointed
71.19 by the Indian Affairs Council;
- 71.20 (6) a representative from an Ojibwe Indian Tribe and a representative from a Dakota
71.21 Indian Tribe appointed by the Indian Affairs Council;
- 71.22 (7) a probation agent who supervises juveniles appointed by the Minnesota Association
71.23 of Community Corrections Act Counties;
- 71.24 (8) a peace officer, as defined in Minnesota Statutes, section 626.84, subdivision 1,
71.25 paragraph (c), appointed by the governor from a list of three candidates submitted jointly
71.26 by the Minnesota Chiefs of Police Association, the Minnesota Sheriffs' Association, and
71.27 the Minnesota Police and Peace Officers Association;
- 71.28 (9) a high school principal appointed by the governor from a list of two candidates
71.29 submitted jointly by the commissioner of education and the executive director of Education
71.30 Minnesota;
- 72.1 (10) a representative from a county social services agency that has responsibility for
72.2 public child welfare and child protection services, appointed by the governor;
- 72.3 (11) an individual who was the victim of an offense committed by a juvenile, appointed
72.4 by the governor;
- 72.5 (12) a representative from a community-driven nonprofit law firm that represents juveniles
72.6 in delinquency matters, appointed by the governor;
- 72.7 (13) an individual who is a children's mental health professional appointed by AspireMN;

72.8 (14) an individual who is the family member of youth impacted by the juvenile justice
72.9 system; and

72.10 (15) ten youths under age 25 with interest or experience in the juvenile justice, juvenile
72.11 protection, and foster care systems.

72.12 (b) To the extent possible, the demographics of the public members identified in
72.13 paragraph (a), clause (15), must be inclusive and represent the ethnic and racial diversity
72.14 of the state, including gender and sexual orientation, immigrant status, and religious and
72.15 linguistic background. At least two of those public members must be from outside the
72.16 metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2.

72.17 (c) Appointments must be made no later than September 15, 2022.

72.18 (d) Public members identified in paragraph (a), clause (15), are eligible for compensation
72.19 and expense reimbursement consistent with Minnesota Statutes, section 15.059, subdivision
72.20 3. All other members shall serve without compensation.

72.21 (e) Members of the task force serve at the pleasure of the appointing authority or until
72.22 the task force expires. Vacancies shall be filled by the appointing authority consistent with
72.23 the qualifications of the vacating member required by this subdivision.

72.24 Subd. 3. **Officers; meetings.** (a) At its first meeting, the members of the task force shall
72.25 elect cochairs of the task force, at least one of whom must be a public member identified
72.26 in subdivision 2, paragraph (a), clause (15). The task force may elect other officers as
72.27 necessary.

72.28 (b) The executive director of the Office of Justice Programs shall convene the first
72.29 meeting of the task force no later than October 15, 2022, and shall provide meeting space
72.30 and administrative assistance through the Office of Justice Programs as necessary for the
72.31 task force to conduct its work.

73.1 (c) The task force shall meet at least monthly or upon the call of a cochair. The task
73.2 force shall meet sufficiently enough to accomplish the tasks identified in this section.
73.3 Meetings of the task force are subject to Minnesota Statutes, chapter 13D.

73.4 Subd. 4. **Duties.** (a) The task force shall, at a minimum:

73.5 (1) review Minnesota's juvenile justice system;

73.6 (2) identify areas of overlap and conflict between Minnesota's juvenile justice and child
73.7 protection systems, including areas of collaboration and coordination, provision of duplicated
73.8 services, and any inconsistent expectations placed on juveniles;

73.9 (3) review alternative approaches to juvenile justice in Minnesota counties, Tribal
73.10 communities, and other states or jurisdictions;

- 73.11 (4) identify social, emotional, and developmental factors that contribute to delinquent
73.12 acts by juveniles;
- 73.13 (5) identify approaches to juvenile justice that involve the affected juvenile and address
73.14 any underlying factors that contribute to delinquent acts by juveniles;
- 73.15 (6) identify approaches to juvenile justice that hold juvenile offenders accountable to
73.16 victims and the community in ways that seek to strengthen the juvenile's connection to the
73.17 community; and
- 73.18 (7) make recommendations for community and legislative action to address juvenile
73.19 justice in Minnesota.
- 73.20 (b) At its discretion, the task force may examine other related issues consistent with this
73.21 section.
- 73.22 Subd. 5. **Report.** By January 15, 2024, the task force shall submit a report to the chairs
73.23 and ranking minority members of the legislative committees and divisions with jurisdiction
73.24 over public safety finance and policy, judiciary finance and policy, human services finance
73.25 and policy, and education finance and policy.
- 73.26 Subd. 6. **Expiration.** The task force expires the day after submitting its final report under
73.27 subdivision 5.
- 73.28 Sec. 51. **EMERGENCY COMMUNITY SAFETY GRANTS.**
- 73.29 Subdivision 1. **Definition.** "Re-entry program" means county remote monitoring, county
73.30 dosage probation programs, county probation check-in stations, and any program primarily
74.1 aimed at supporting individuals with a criminal record, including but not limited to
74.2 employment programs, housing programs, and education programs.
- 74.3 Subd. 2. **Expedited disbursement; distribution.** (a) Application materials for grants
74.4 issued under this section must be prepared and made available to the public by July 15,
74.5 2022.
- 74.6 (b) Applications must be reviewed and considered by the commissioner as they are
74.7 received, and the commissioner shall approve applications when they are determined to
74.8 meet eligibility requirements and all applicable grant standards.
- 74.9 (c) At least half of the total amount awarded must be provided for the purposes identified
74.10 in subdivision 3, paragraph (c), clauses (1) to (8).
- 74.11 Subd. 3. **Eligible recipients.** (a) A county; city; town; local law enforcement agency,
74.12 including a law enforcement agency of a federally recognized Tribe, as defined in United
74.13 States Code, title 25, section 450b(e); or a federally recognized Indian Tribe may apply for
74.14 emergency community safety grants to support crime prevention programs.

- 74.15 (b) A county, city, town, or a federally recognized Indian Tribe may apply as part of a
74.16 multijurisdictional collaboration with other counties, cities, towns, or federally recognized
74.17 Indian Tribes.
- 74.18 (c) As used in this section, "crime prevention programs" includes but is not limited to:
- 74.19 (1) re-entry programs;
- 74.20 (2) victim services programs;
- 74.21 (3) homelessness assistance programs;
- 74.22 (4) mobile crisis teams and embedded social worker programs;
- 74.23 (5) restorative justice programs;
- 74.24 (6) co-responder programs;
- 74.25 (7) juvenile diversion programs;
- 74.26 (8) community violence interruption programs;
- 74.27 (9) increasing the recruitment of officers by utilizing advertisements, or bonuses or
74.28 scholarships for peace officers who remain continuously employed as peace officers for at
74.29 least 12 months and have not been subject to disciplinary action in the previous 12 months;
- 74.30 (10) increasing patrols outside of squad cars, on foot or in transportation options that
74.31 provide more interaction between police and community members;
- 75.1 (11) increasing, establishing, maintaining, or expanding crisis response teams in which
75.2 social workers or mental health providers are sent as first responders when calls for service
75.3 indicate that an individual is having a mental health crisis;
- 75.4 (12) establishing, maintaining, or expanding co-responder teams;
- 75.5 (13) purchasing equipment to perform patrols outside of squad cars on foot or in
75.6 transportation options that provide more interaction between police and community members;
- 75.7 (14) hiring additional non-law-enforcement personnel to conduct functions typically
75.8 performed by law enforcement with the intent of freeing up additional law enforcement to
75.9 perform patrols or respond to service calls;
- 75.10 (15) increasing recruitment of additional detectives, investigators, or other individuals
75.11 with a comparable rank or designation to investigate homicides, nonfatal shootings, or motor
75.12 vehicle theft, including hiring, on a temporary or permanent basis, retired officers utilizing
75.13 advertisements, or bonuses or scholarships for peace officers who remain continuously
75.14 employed as peace officers for at least 12 months and have not been subject to disciplinary
75.15 action in the previous 12 months;

- 75.16 (16) increasing recruitment of additional peace officers to replace officers transferred
75.17 or promoted to detective, investigator, or a comparable rank and assigned to investigate
75.18 homicides, nonfatal shootings, or motor vehicle theft;
- 75.19 (17) ensuring retention of peace officers identified as a detective, investigator, or a
75.20 comparable rank and assigned to investigate homicides and nonfatal shootings;
- 75.21 (18) acquiring, upgrading, or replacing investigative or evidence-processing technology
75.22 or equipment;
- 75.23 (19) hiring additional evidence-processing personnel;
- 75.24 (20) ensuring that personnel responsible for evidence processing have sufficient resources
75.25 and training;
- 75.26 (21) hiring and training personnel to analyze violent crime, specifically with regards to
75.27 the use of intelligence information of criminal networks and the potential for retaliation
75.28 among gangs or groups, and the geographic trends among homicides, nonfatal shootings,
75.29 and carjackings;
- 75.30 (22) ensuring that victim services and personnel are sufficiently funded, staffed, and
75.31 trained;
- 76.1 (23) ensuring that victims and family members of homicides and nonfatal shootings
76.2 have access to resources, including:
- 76.3 (i) convenient mental health treatment and grief counseling;
- 76.4 (ii) funeral and burial expenses;
- 76.5 (iii) relocation expenses;
- 76.6 (iv) emergency shelter;
- 76.7 (v) emergency transportation; and
- 76.8 (vi) lost wage assistance;
- 76.9 (24) developing competitive and evidence-based programs to improve homicide and
76.10 nonfatal shooting clearance rates; or
- 76.11 (25) developing best practices for improving access to, and acceptance of, victim services,
76.12 including those that promote medical and psychological wellness, ongoing counseling, legal
76.13 advice, and financial compensation.
- 76.14 Subd. 4. **Application for grants.** (a) A crime prevention program may apply to the
76.15 commissioner of public safety for a grant for any of the purposes described in subdivision
76.16 3. The application must be on forms and pursuant to procedures developed by the
76.17 commissioner. The application must describe the type or types of intended emergency

76.18 assistance, estimate the amount of money required, and include any other information
76.19 deemed necessary by the commissioner.

76.20 (b) An applicant may not spend in any fiscal year more than ten percent of the grant
76.21 awarded for administrative costs.

76.22 (c) Grant recipients may use funds to partner with or support other programs.

76.23 Subd. 5. **Reporting by crime prevention programs required.** The recipient of a grant
76.24 under this section shall file a report with the commissioner of public safety by December
76.25 15 of each calendar year in which funds were received or used. Reports must itemize the
76.26 expenditures made, indicate the purpose of those expenditures, and describe the ultimate
76.27 disposition, if any, of each case. The report must be on forms and pursuant to procedures
76.28 developed by the commissioner.

77.1 Sec. 52. **LOCAL CO-RESPONDER GRANTS.**

77.2 Subdivision 1. **Expedited disbursement; distribution.** (a) Application materials for
77.3 grants issued under this section must be prepared and made available to the public by August
77.4 15.

77.5 (b) The commissioner must prioritize awarding grants to applicants who are not eligible
77.6 to apply for local community innovation grants, local community policing grants, or local
77.7 investigation grants.

77.8 (c) At least half of the total amount awarded must be provided to counties, cities, towns,
77.9 and federally recognized Indian Tribes.

77.10 Subd. 2. **Eligible recipients.** (a) A county; city; town; local law enforcement agency,
77.11 including a law enforcement agency of a federally recognized Tribe, as defined in United
77.12 States Code, title 25, section 450b(e); or a federally recognized Indian Tribe may apply for
77.13 local co-responder grants for the purposes identified in this subdivision.

77.14 (b) A county, city, town, or a federally recognized Indian Tribe may apply as part of a
77.15 multijurisdictional collaboration with other counties, cities, towns, or federally recognized
77.16 Indian Tribes.

77.17 (c) The funding may only be used for:

77.18 (1) embedded social workers;

77.19 (2) mobile crisis teams; or

77.20 (3) violence interrupters who work with law enforcement agencies.

77.21 Subd. 3. **Application for grants.** (a) A co-responder program may apply to the
77.22 commissioner of public safety for a grant for any of the purposes described in subdivision

77.23 3. The application must be on forms and pursuant to procedures developed by the
77.24 commissioner.

77.25 (b) An applicant may not spend in any fiscal year more than ten percent of the grant
77.26 awarded for administrative costs.

77.27 (c) Grant recipients may use funds to partner with or support other programs.

77.28 Subd. 4. **Reporting by co-responder programs required.** The recipient of a grant
77.29 under this section shall file a report with the commissioner of public safety by December
77.30 15 of each calendar year in which funds were received or used. Reports must itemize the
77.31 expenditures made, indicate the purpose of those expenditures, and describe the ultimate
78.1 disposition, if any, of each case. The report must be on forms and pursuant to procedures
78.2 developed by the commissioner.

78.3 Sec. 53. **LOCAL COMMUNITY INNOVATION GRANTS.**

78.4 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
78.5 meanings given.

78.6 (b) "Community violence interruption" means a program that works with other
78.7 organizations and persons in the community to develop community-based responses to
78.8 violence that use and adapt critical incident response methods, provide targeted interventions
78.9 to prevent the escalation of violence after the occurrence of serious incidents, and de-escalate
78.10 violence with the use of community-based interventions. The programs may work with
78.11 local prosecutorial offices to provide an alternative to adjudication through a restorative
78.12 justice model.

78.13 (c) "Co-responder teams" means a partnership between a group or organization that
78.14 provides mental health or crisis-intervention services and local units of government or Tribal
78.15 governments that:

78.16 (1) provides crisis-response teams to de-escalate volatile situations;

78.17 (2) responds to situations involving a mental health crisis;

78.18 (3) promotes community-based efforts designed to enhance community safety and
78.19 wellness; or

78.20 (4) supports community-based strategies to interrupt, intervene in, or respond to violence.

78.21 (d) "Qualified local government entity" means a city or town, or a federally recognized
78.22 Indian Tribe with a law enforcement agency that reports statistics on crime rates.

78.23 (e) "Re-entry program" means county remote monitoring, county dosage probation
78.24 programs, county probation check-in stations, and any program primarily aimed at supporting
78.25 individuals with a criminal record, including but not limited to employment programs,
78.26 housing programs, and education programs.

78.27 (f) "Restorative justice program" has the meaning given in Minnesota Statutes, section
78.28 611A.775, and includes Native American sentencing circles.

78.29 Subd. 2. **Expedited disbursement.** (a) Application materials for grants issued under
78.30 this section must be prepared and made available to the public by September 1.

79.1 (b) Applications must be received and reviewed, and successful applicants must be
79.2 notified of approval, within six months of an appropriation being made to fund the grants.

79.3 Subd. 3. **Final review panel.** (a) The Office of Justice Programs shall establish a final
79.4 review panel of office staff to make final decisions on grants awarded under this section.

79.5 (b) Staff serving on the final review panel must represent the office's responsibility for
79.6 community outreach, research and analysis, crime victim reparations, crime victim justice,
79.7 financial compliance, or grant management. At a minimum, the final review panel shall
79.8 include:

79.9 (1) three individuals with specialized knowledge of, or an advanced degree in,
79.10 criminology, sociology, urban studies, or social work;

79.11 (2) an individual with professional duties that include research and analysis; and

79.12 (3) an individual with professional duties that include grant compliance or grant
79.13 management.

79.14 (c) If the commissioner rejects or otherwise does not follow the final review panel's
79.15 decisions or recommendations regarding awarding or not awarding a grant, the commissioner
79.16 shall notify the chair and ranking minority members of the legislative committees with
79.17 jurisdiction over public safety within three business days and must identify the reasons for
79.18 the commissioner's decision.

79.19 Subd. 4. **Eligible applicants; identification and notice.** (a) The commissioner of public
79.20 safety shall publish the following lists by August 1 of each year to determine eligibility for
79.21 the formula grant:

79.22 (1) the qualified local government entities with at least three recorded violent crimes in
79.23 the previous fiscal year and the 20 highest per capita crime rates in the previous fiscal year
79.24 based on the Uniform Crime Reports or National Incident Based Reporting System;

79.25 (2) the counties with the 20 highest per capita crime rates in the previous fiscal year
79.26 based on the Uniform Crime Reports or National Incident Based Reporting System;

79.27 (3) the qualified local government entities that are not included in the list generated
79.28 pursuant to clause (1) and have experienced at least three recorded violent crimes in the
79.29 previous fiscal year and the 20 fastest increases in the per capita rate of crime in the previous
79.30 fiscal year based on the Uniform Crime Reports or National Incident Based Reporting
79.31 System; and

80.1 (4) the counties that are not included in the list generated pursuant to clause (2) and have
80.2 experienced the 20 fastest increases in the per capita rate of crime in the previous fiscal year
80.3 based on the Uniform Crime Reports or National Incident Based Reporting System.

80.4 (b) A county or qualified local government entity identified in any list produced pursuant
80.5 to paragraph (a), clauses (1) to (4), may apply for a grant under this section. A listed county
80.6 or qualified local government entity that reports statistics on crime rates may apply as part
80.7 of a multijurisdictional collaboration with counties or local government entities that are not
80.8 listed provided the portion of programs or services provided through the grant funding that
80.9 are performed in the listed county or qualified local government entity is at least equal to
80.10 its proportion of the membership of the multijurisdictional collaboration.

80.11 (c) The commissioner of public safety shall post the lists described in paragraph (a),
80.12 clauses (1) to (4), on a publicly facing website and shall work with the League of Minnesota
80.13 Cities, Association of Minnesota Counties, the three ethnic councils established under
80.14 Minnesota Statutes, section 15.0145, and the Indian Affairs Council established under
80.15 Minnesota Statutes, section 3.922, to notify entities that are eligible to apply for grants under
80.16 this section.

80.17 Subd. 5. **Grant distribution.** (a) Half of the total amount appropriated under this section
80.18 must be awarded to counties or qualified local government entities identified in subdivision
80.19 4, paragraph (a), clause (1) or (2).

80.20 (b) Half the total amount appropriated under this section must be awarded to counties
80.21 or qualified local government entities identified in subdivision 4, paragraph (a), clause (3)
80.22 or (4).

80.23 Subd. 6. **Application materials.** (a) Applicants must submit an application in the form
80.24 and manner established by the commissioner of public safety.

80.25 (b) Applicants must describe the ways in which grant funds will be used to reduce crime
80.26 in a specific subsection of the county or qualified local government entity through the
80.27 creation or expansion of programs, including but not limited to the following:

80.28 (1) re-entry programs;

80.29 (2) victim services programs;

80.30 (3) homelessness assistance programs;

80.31 (4) mobile crisis teams and embedded social worker programs;

80.32 (5) restorative justice programs;

81.1 (6) co-responder programs;

81.2 (7) juvenile diversion programs;

- 81.3 (8) community violence interruption programs;
- 81.4 (9) blight elimination programs; or
- 81.5 (10) programs that provide technical assistance to service providers who are doing work
81.6 that would promote public safety.
- 81.7 Subd. 7. **Awards.** (a) Preference in awarding grants should be given to applicants whose
81.8 proposals are based on evidence-based practices, provide resources to geographic areas that
81.9 have been historically underinvested, and incorporate input from community stakeholders.
- 81.10 (b) Grant recipients may use funds to partner with or support other programs.
- 81.11 (c) Grant funds may not be used to fund the activities of law enforcement agencies or
81.12 offset the costs of counties or qualified local government entities.
- 81.13 (d) Any funds that are not encumbered or spent six years after being awarded must be
81.14 returned to the commissioner of public safety and awarded as part of a local community
81.15 innovation grant.
- 81.16 Subd. 8. **Evaluation.** Each grant recipient shall complete a standardized evaluation
81.17 established by the Minnesota Statistical Analysis Center every two years.
- 81.18 Sec. 54. **LOCAL COMMUNITY POLICING GRANTS.**
- 81.19 Subdivision 1. **Definition.** As used in this section, "qualified local government entity"
81.20 means a federally recognized Indian Tribe with a law enforcement agency that reports
81.21 statistics on crime rates, or a city or town that has a local law enforcement agency.
- 81.22 Subd. 2. **Expedited disbursement.** (a) Application materials for grants issued under
81.23 this section must be prepared and made available to the public by September 1.
- 81.24 (b) Applications must be received and reviewed, and successful applicants must be
81.25 notified of approval, within six months of an appropriation being made to fund the grants.
- 81.26 Subd. 3. **Final review panel.** (a) The Office of Justice Programs shall establish a final
81.27 review panel of office staff to make final decisions on grants awarded under this section.
- 81.28 (b) Staff serving on the final review panel must represent the office's responsibility for
81.29 community outreach, research and analysis, crime victim reparations, crime victim justice,
81.30 financial compliance, or grant management. At a minimum, the final review panel shall
81.31 include:
- 82.1 (1) three individuals with specialized knowledge of, or an advanced degree in,
82.2 criminology, sociology, urban studies, or social work;
- 82.3 (2) an individual with professional duties that include research and analysis; and

- 82.4 (3) an individual with professional duties that include grant compliance or grant
82.5 management.
- 82.6 (c) If the commissioner rejects or otherwise does not follow the final review panel's
82.7 decisions or recommendations regarding awarding or not awarding a grant, the commissioner
82.8 shall notify the chair and ranking minority members of the legislative committees with
82.9 jurisdiction over public safety within three business days and must identify the reasons for
82.10 the commissioner's decision.
- 82.11 **Subd. 4. Eligible applicants; identification and notice.** (a) The commissioner of public
82.12 safety shall publish the following lists by August 1 of each year:
- 82.13 (1) the qualified local government entities that have recorded at least three violent crimes
82.14 in the previous fiscal year and have the 20 highest per capita crime rates in the previous
82.15 fiscal year based on the Uniform Crime Reports or National Incident Based Reporting
82.16 System;
- 82.17 (2) the counties with the 20 highest per capita crime rates in the previous fiscal year
82.18 based on the Uniform Crime Reports or National Incident Based Reporting System;
- 82.19 (3) the qualified local government entities that are not included in the list generated
82.20 pursuant to clause (1), have recorded at least three violent crimes in the previous fiscal year,
82.21 and have experienced the 20 fastest increases in the per capita rate of crime in the previous
82.22 fiscal year based on the Uniform Crime Reports or National Incident Based Reporting
82.23 System; and
- 82.24 (4) the counties that are not included in the list generated pursuant to clause (2) and have
82.25 experienced the 20 fastest increases in the per capita rate of crime in the previous fiscal year
82.26 based on the Uniform Crime Reports or National Incident Based Reporting System.
- 82.27 (b) A county or qualified local government entity identified in any list produced pursuant
82.28 to paragraph (a), clauses (1) to (4), may apply for a grant under this section. A listed county
82.29 or qualified local government entity may apply as part of a multijurisdictional collaboration
82.30 with counties and local government entities that are not listed provided the portion of
82.31 programs or services provided through the grant funding that are performed in the listed
82.32 county or qualified local government entity is at least equal to its proportion of the
82.33 membership of the multijurisdictional collaboration.
- 83.1 (c) The commissioner of public safety shall post the lists described in paragraph (a),
83.2 clauses (1) to (4), on a publicly facing website and shall work with the League of Minnesota
83.3 Cities, Association of Minnesota Counties, the three ethnic councils established under
83.4 Minnesota Statutes, section 15.0145, and the Indian Affairs Council established under
83.5 Minnesota Statutes, section 3.922, to notify entities that are eligible to apply for grants under
83.6 this section.

83.7 Subd. 5. **Grant distribution.** (a) Half of the total amount appropriated under this section
83.8 must be awarded to counties or qualified local government entities identified in subdivision
83.9 4, paragraph (a), clause (1) or (2).

83.10 (b) Half the total amount appropriated under this section must be awarded to counties
83.11 or qualified local government entities identified in subdivision 4, paragraph (a), clause (3)
83.12 or (4).

83.13 Subd. 6. **Application materials.** (a) Applicants must submit an application in the form
83.14 and manner established by the commissioner.

83.15 (b) Applicants must describe the ways in which grant funds will be used to reduce crime
83.16 by increasing the capacity, efficiency, and effectiveness of law enforcement community
83.17 policing efforts through approaches, including but not limited to the following:

83.18 (1) increasing the recruitment of officers by utilizing advertisements, or bonuses or
83.19 scholarships for peace officers who remain continuously employed as a peace officer for
83.20 at least 12 months and have not been subject to disciplinary action in the previous 12 months;

83.21 (2) increasing patrols outside of squad cars on foot or in transportation options that
83.22 provide more interaction between police and community members;

83.23 (3) increasing, establishing, maintaining, or expanding crisis response teams in which
83.24 social workers or mental health providers are sent as first responders when calls for service
83.25 indicate that an individual is having a mental health crisis;

83.26 (4) establishing, maintaining, or expanding co-responder teams;

83.27 (5) purchasing equipment to perform patrols outside of squad cars on foot or in
83.28 transportation options that provide more interaction between police and community members;
83.29 or

83.30 (6) hiring additional non-law-enforcement personnel to conduct functions typically
83.31 performed by law enforcement with the intent of freeing up additional law enforcement to
83.32 perform patrols or respond to service calls.

84.1 Subd. 7. **Awards.** (a) Preference in awarding grants should be given to applicants whose
84.2 proposals:

84.3 (1) involve community policing strategies;

84.4 (2) include collaboration with non-law-enforcement entities such as community-based
84.5 violence prevention programs, social worker programs, or mental health specialists;

84.6 (3) are based on academic studies or based on evidence-based policing research or
84.7 findings; or

84.8 (4) involve increased law enforcement accountability or transparency.

- 84.9 (b) Grant recipients may use funds to partner with or support other programs.
- 84.10 (c) Grant funds may not be used to offset the costs of law enforcement agencies, counties,
84.11 or qualified local government entities.
- 84.12 (d) Any funds that are not encumbered or spent six years after being awarded must be
84.13 returned to the commissioner of public safety and awarded as part of a local community
84.14 innovation grant.
- 84.15 Subd. 8. **Evaluation.** Each grant recipient shall complete a standardized evaluation
84.16 established by the Minnesota Statistical Analysis Center every two years.
- 84.17 Sec. 55. **LOCAL INVESTIGATION GRANTS.**
- 84.18 Subdivision 1. **Definition.** As used in this section, "qualified local government entity"
84.19 means a federally recognized Indian Tribe with a law enforcement agency that reports
84.20 statistics on crime rates, or a city or town that has a local law enforcement agency.
- 84.21 Subd. 2. **Expedited disbursement.** (a) Application materials for grants issued under
84.22 this section must be prepared and made available to the public by September 1.
- 84.23 (b) Applications must be received and reviewed, and successful applicants must be
84.24 notified of approval, within six months of an appropriation being made to fund the grants.
- 84.25 Subd. 3. **Final review panel.** (a) The Office of Justice Programs shall establish a final
84.26 review panel of office staff to make final decisions on grants awarded under this section.
- 84.27 (b) Staff serving on the final review panel must represent the office's responsibility for
84.28 community outreach, research and analysis, crime victim reparations, crime victim justice,
84.29 financial compliance, or grant management. At a minimum, the final review panel shall
84.30 include:
- 85.1 (1) three individuals with specialized knowledge of, or an advanced degree in,
85.2 criminology, sociology, urban studies, or social work;
- 85.3 (2) an individual with professional duties that include research and analysis; and
- 85.4 (3) an individual with professional duties that include grant compliance or grant
85.5 management.
- 85.6 (c) If the commissioner rejects or otherwise does not follow the final review panel's
85.7 decisions or recommendations regarding awarding or not awarding a grant, the commissioner
85.8 shall notify the chair and ranking minority members of the legislative committees with
85.9 jurisdiction over public safety within three business days and must identify the reasons for
85.10 the commissioner's decision.
- 85.11 Subd. 4. **Eligible applicants; identification and notice.** (a) The commissioner of public
85.12 safety shall publish the following lists by August 1 of each year:

85.13 (1) the qualified local government entities that have recorded at least three violent crimes
85.14 in the previous fiscal year and have the 20 highest per capita crime rates in the previous
85.15 fiscal year based on the Uniform Crime Reports or National Incident Based Reporting
85.16 System;

85.17 (2) the counties with the 20 highest per capita crime rates in the previous fiscal year
85.18 based on the Uniform Crime Reports or National Incident Based Reporting System;

85.19 (3) the qualified local government entities that are not included in the list generated
85.20 pursuant to clause (1), have recorded at least three violent crimes in the previous fiscal year,
85.21 and have experienced the 20 fastest increases in the per capita rate of crime in the previous
85.22 fiscal year based on the Uniform Crime Reports or National Incident Based Reporting
85.23 System; and

85.24 (4) the counties that are not included in the list generated pursuant to clause (2) and have
85.25 experienced the 20 fastest increases in the per capita rate of crime in the previous fiscal year
85.26 based on the Uniform Crime Reports or National Incident Based Reporting System.

85.27 (b) A county or qualified local government entity identified in any list produced pursuant
85.28 to paragraph (a), clauses (1) to (4), may apply for a grant under this section. A listed county
85.29 or qualified local government entity may apply as part of a multijurisdictional collaboration
85.30 with counties and local government entities that are not listed provided the portion of
85.31 programs or services provided through the grant funding that are performed in the listed
85.32 county or qualified local government entity is at least equal to its proportion of the
85.33 membership of the multijurisdictional collaboration.

86.1 (c) The commissioner of public safety shall post the lists described in paragraph (a),
86.2 clauses (1) to (4), on a publicly facing website and shall work with the League of Minnesota
86.3 Cities, Association of Minnesota Counties, the three ethnic councils established under
86.4 Minnesota Statutes, section 15.0145, and the Indian Affairs Council established under
86.5 Minnesota Statutes, section 3.922, to notify entities that are eligible to apply for grants under
86.6 this section.

86.7 Subd. 5. **Grant distribution.** (a) Half of the total amount appropriated under this section
86.8 must be awarded to counties or qualified local government entities identified in subdivision
86.9 4, paragraph (a), clause (1) or (2).

86.10 (b) Half the total amount appropriated under this section must be awarded to counties
86.11 or qualified local government entities identified in subdivision 4, paragraph (a), clause (3)
86.12 or (4).

86.13 Subd. 6. **Application materials.** (a) Applicants must submit an application in the form
86.14 and manner established by the commissioner of public safety.

86.15 (b) Applicants must describe the ways in which grant funds will be used to reduce crime
86.16 by increasing the capacity, efficiency, and effectiveness of law enforcement investigations
86.17 through approaches, including but not limited to the following:

86.18 (1) increasing recruitment of additional detectives, investigators, or other individuals
86.19 with a comparable rank or designation to investigate homicides, nonfatal shootings, or motor
86.20 vehicle theft, including hiring, on a temporary or permanent basis, retired officers by utilizing
86.21 advertisements, or bonuses or scholarships for peace officers who remain continuously
86.22 employed as a peace officer for at least 12 months and have not been subject to disciplinary
86.23 action in the previous 12 months;

86.24 (2) increasing recruitment of additional peace officers to replace officers transferred or
86.25 promoted to detective, investigator, or a comparable rank and assigned to investigate
86.26 homicides, nonfatal shootings, or motor vehicle theft;

86.27 (3) ensuring retention of peace officers identified as a detective, investigator, or a
86.28 comparable rank and assigned to investigate homicides and nonfatal shootings;

86.29 (4) acquiring, upgrading, or replacing investigative or evidence-processing technology
86.30 or equipment;

86.31 (5) hiring additional evidence-processing personnel;

86.32 (6) ensuring that personnel responsible for evidence processing have sufficient resources
86.33 and training;

87.1 (7) hiring and training personnel to analyze violent crime, specifically with regards to
87.2 the use of intelligence information of criminal networks and the potential for retaliation
87.3 among gangs or groups, and the geographic trends among homicides, nonfatal shootings,
87.4 and carjackings;

87.5 (8) ensuring that victim services and personnel are sufficiently funded, staffed, and
87.6 trained;

87.7 (9) ensuring that victims and family members of homicides and nonfatal shootings have
87.8 access to resources, including:

87.9 (i) convenient mental health treatment and grief counseling;

87.10 (ii) assistance for funeral and burial expenses;

87.11 (iii) assistance for relocation expenses;

87.12 (iv) emergency shelter;

87.13 (v) emergency transportation; and

87.14 (vi) lost wage assistance;

87.15 (10) developing competitive and evidence-based programs to improve homicide and
87.16 nonfatal shooting clearance rates; or

87.17 (11) developing best practices for improving access to, and acceptance of, victim services,
87.18 including those that promote medical and psychological wellness, ongoing counseling, legal
87.19 advice, and financial compensation.

87.20 Subd. 7. **Awards.** (a) Grant recipients may use funds to partner with or support other
87.21 programs.

87.22 (b) Grant funds may not be used to fund undercover peace officer work or offset the
87.23 costs of law enforcement agencies, counties, or qualified local government entities.

87.24 (c) Any funds that are not encumbered or spent six years after being awarded must be
87.25 returned to the commissioner of public safety and awarded as part of a local community
87.26 innovation grant.

87.27 Subd. 8. **Evaluation.** Each grant recipient shall complete a standardized evaluation
87.28 established by the Minnesota Statistical Analysis Center every two years.

88.1 Sec. 56. **REPEALER.**

88.2 Minnesota Statutes 2020, sections 299A.49, subdivision 7; 403.02, subdivision 17c;
88.3 609.281, subdivision 2; 609.293, subdivisions 1 and 5; 609.34; and 609.36, are repealed.

88.4 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
88.5 committed on or after that date.

61.1 Sec. 45. **DWI CONTROLLED SUBSTANCE ROADSIDE TESTING INSTRUMENT**
61.2 **PILOT PROJECT; REPORT REQUIRED.**

61.3 (a) The commissioner of public safety shall design, plan, and implement a pilot project
61.4 to study oral fluid roadside testing instruments to determine the presence of a controlled
61.5 substance or intoxicating substance in individuals stopped or arrested for driving while
61.6 impaired offenses. The pilot project shall determine the practicality, accuracy, and efficacy
61.7 of these testing instruments and determine and make recommendations on the best instrument
61.8 or instruments to pursue in the future.

61.9 (b) The pilot project must begin on September 1, 2022, and continue until August 31,
61.10 2023.

61.11 (c) The commissioner shall consult with law enforcement officials, prosecutors, criminal
61.12 defense attorneys, and other interested and knowledgeable parties when designing,
61.13 implementing, and evaluating the pilot project.

61.14 (d) All oral fluid samples obtained for the purpose of this pilot project shall be obtained
61.15 by a certified drug recognition evaluator and may only be collected with the express voluntary

- 61.16 consent of the person stopped or arrested for suspicion of driving while impaired. Results
61.17 of tests conducted under the pilot project are to be used for the purpose of analyzing the
61.18 practicality, accuracy, and efficacy of the instrument. Results may not be used to decide
61.19 whether an arrest should be made and are not admissible in any legal proceeding.
- 61.20 (e) By February 1, 2024, the commissioner shall report to the chairs and ranking minority
61.21 members of the legislative committees with jurisdiction over public safety on the results of
61.22 the pilot project. At a minimum, the report must include information on how accurate the
61.23 instruments were when tested against laboratory results, how often participants were found
61.24 to have controlled substances or intoxicating substances in their systems, how often there
61.25 was commingling of controlled substances or intoxicating substances with alcohol, the types
61.26 of controlled substances or intoxicating substances found in participants' systems and which
61.27 types were most common, and the number of participants in the project. In addition, the
61.28 report must assess the practicality and reliability of using the instruments in the field and
61.29 make recommendations on continuing the project permanently.
- 61.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 61.31 **Sec. 46. REVISOR INSTRUCTION.**
- 61.32 (a) The revisor of statutes shall insert a cross-reference to Minnesota Statutes, section
61.33 609.2456, in the following statutory sections: Minnesota Statutes, sections 145A.061,
62.1 subdivision 3; 146A.08, subdivision 1, paragraph (c); 253B.02, subdivision 4e; 253D.02,
62.2 subdivision 8, paragraph (b); 260B.171, subdivision 3, paragraph (a), clause (1); 299A.296,
62.3 subdivision 2, paragraph (a), clause (5); 299C.105, subdivision 1, paragraph (a), clause (1),
62.4 item (iv), and clause (3), item (iv); 299C.67, subdivision 2, paragraph (b), clause (1);
62.5 609.1095, subdivision 1, paragraph (d); 609.11, subdivision 9; 609.341, subdivision 22;
62.6 609.52, subdivision 3, clause (3), paragraph (c); 609.531, subdivision 1, paragraph (f),
62.7 clause (3); 609.631, subdivision 4, clause (3), paragraph (b); 609.632, subdivision 4,
62.8 paragraph (b), clause (3), item (ii); 609.821, subdivision 3, paragraph (a), clause (1), item
62.9 (iv); 611A.031; 611A.036, subdivision 7; 611A.08, subdivision 6; and 624.712, subdivision
62.10 5.
- 62.11 (b) The revisor shall insert a cross-reference to Minnesota Statutes, section 609.2456,
62.12 subdivision 2, paragraph (a), in the following statutory sections: Minnesota Statutes, sections
62.13 245C.15, subdivision 2, paragraph (a), and subdivision 4a, paragraph (d); and 245C.24,
62.14 subdivision 3, paragraph (a).
- 62.15 (c) The revisor shall insert a cross-reference to Minnesota Statutes, section 609.2456,
62.16 subdivision 2, paragraph (c), in Minnesota Statutes, section 243.167, subdivision 1.
- 62.17 (d) The revisor shall insert a cross-reference to Minnesota Statutes, section 609.2456,
62.18 subdivision 2, paragraphs (b) and (c), in the following statutory sections: Minnesota Statutes,
62.19 sections 245C.15, subdivision 1, paragraph (a), and subdivision 4a, paragraph (a); 609.902,
62.20 subdivision 4; and 626A.05, subdivision 2, clause (1).

- 62.21 (e) Consistent with paragraphs (a) to (d), the revisor may make technical and other
- 62.22 necessary changes to language, grammar, and sentence structure in the statutory sections
- 62.23 listed in this section to preserve the meaning of the text.